



APPLICATIONS ACCEPTED: October 7, 2010
APPLICATION AMENDED: July 29, 2011
APPLICATION AMENDED: June 12, 2012
PLANNING COMMISSION PUBLIC HEARINGS
ORIGINAL PUBLIC HEARING: December 15, 2011
SECOND PUBLIC HEARING: July 12, 2012
BOARD OF SUPERVISORS: Not Scheduled

County of Fairfax, Virginia

June 28, 2012

STAFF REPORT ADDENDUM

APPLICATIONS RZ/FDP 2010-PR-019

PROVIDENCE DISTRICT

APPLICANT: Kettler Sandburg, LLC

EXISTING ZONING: Residential – One Dwelling Units Per Acre (R-1)

PROPOSED ZONING: Planned Development Housing,
Three Dwelling Units Per Acre (PDH-3)

PARCELS: 39-4 ((1)) 46 and 47

ACREAGE: 2.28 acres

DENSITY: 2.63 dwelling units/acre (du/ac)

OPEN SPACE: 26%

PLAN MAP: Residential, 3-4 du/ac

PROPOSAL: Rezone from the R-1 District to PDH-3 District to permit a residential development consisting of six single-family detached dwelling units.

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2010-PR-019 and the associated Conceptual Development Plan (CDP), subject to the execution of proffers consistent with those contained in Appendix 1 of the staff report.

William Mayland, AICP

Staff recommends approval of FDP 2010-PR-019, subject to the proposed Final Development Plan conditions contained in Appendix 2 of the staff report and the Board of Supervisors approval of RZ 2010-PR-019 and the associated Conceptual Development Plan.

Staff recommends approval of a deviation of the tree preservation target requirement in favor of the tree preservation shown on the CDP/FDP.

Staff recommends approval of a waiver of the Section 11-302 (1) of the Zoning Ordinance requirement that private streets within a development shall be limited to those streets which are not required or designed to provide access to adjacent properties.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions, relieve the applicants/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards; and that, should this application be approved, such approval does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290 TTY 711 (Virginia Relay Center).

O:\Bmayla\RZPCA\RZFDP 2010-PR-019 Kettler Sandburg, LLC\Staff Report



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice.
For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Rezoning Application

RZ 2010-PR-019

Applicant: KETTLER SANDBURG, LLC
Accepted: 12/17/2010 - AMENDED 08/01/2011
Proposed: RESIDENTIAL
Area: 2.28 AC OF LAND; DISTRICT - PROVIDENCE
Located: WEST SIDE OF SANDBURG STREET DIRECTLY SOUTH OF ELM PLACE

Zoning: FROM R- 1 TO PDH- 3

Map Ref Num: 039-4- /01/ /0046 /01/ /0047

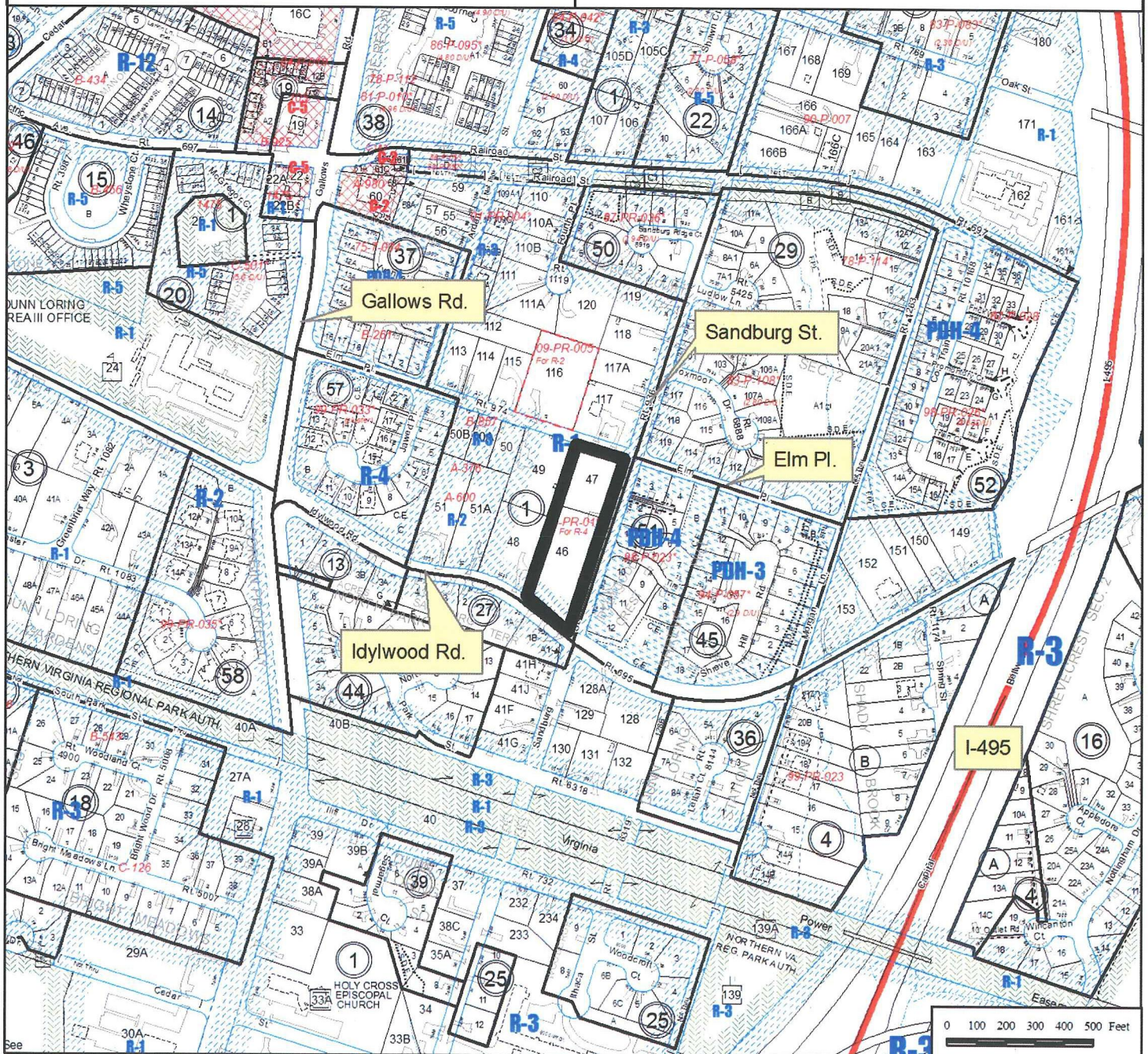
Final Development Plan

FDP 2010-PR-019

Applicant: KETTLER SANDBURG, LLC
Accepted: 08/01/2011
Proposed: RESIDENTIAL
Area: 2.28 AC OF LAND; DISTRICT - PROVIDENCE
Located: WEST SIDE OF SANDBURG STREET DIRECTLY SOUTH OF ELM PLACE

Zoning: PDH- 3

Map Ref Num: 039-4- /01/ /0046 /01/ /0047



PLAN DATE		No.	DATE	DESCRIPTION	REVISIONS
06-28-10					
02-16-10					
04-12-10					
11-10-11					
06-11-12					
06-30-12					

1	Cover Sheet
2	General Notes and Details
3	Existing Conditions and Slops Map
4	COP-FOP
5	Pedestrian Circulation Plan
6	SWM Drainage Divide Map
7	Best Management Practices Plan
8	Outfall Analysis
9	Existing Vegetation Map
10	Landscape Plan
11	Tree Inventory Plan
12	Tree Preservation Details

 **urban** Ltd

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www.urbanltd.com

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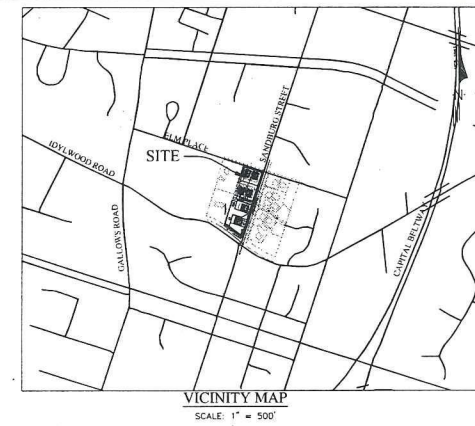


COVER SHEET	
PORTER AT SANDBURG STREET PROVIDENCE DISTRICT FAIRFAX COUNTY, VA	
SCALE: N/A	CL: N/A
DATE: NOV. 2011	

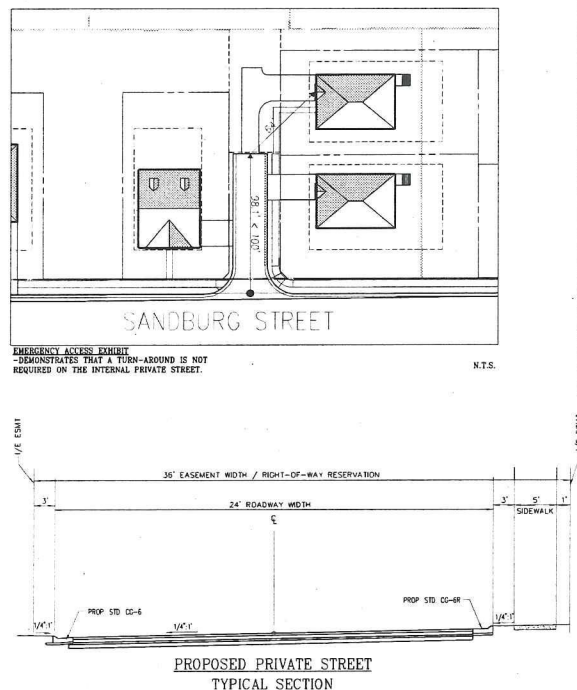
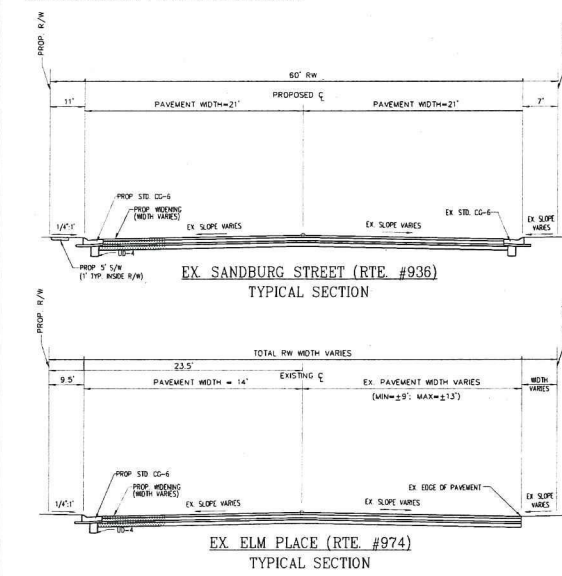
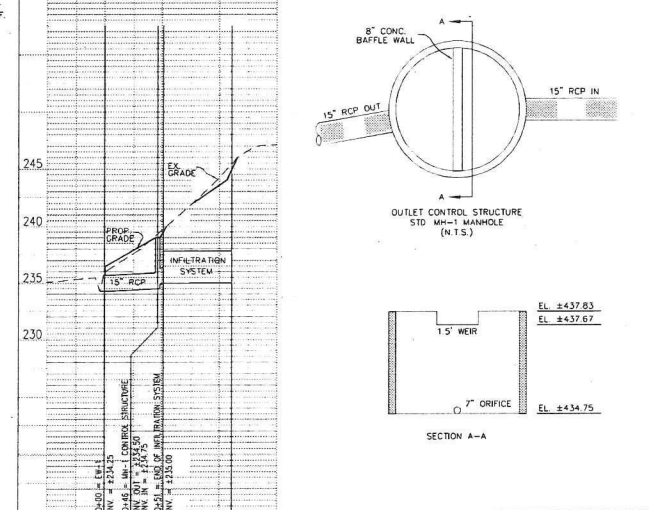
SHEET
1
OF
12

1. THE SUBJECT PROPERTY OF THE CENTRAL / FINAL DEVELOPMENT PLAN (CDP/FDP) IS IDENTIFIED ON THE FAIRFAX COUNTY ZONING MAPS AS PARCELS 39-4-(11)-46 AND 47. THE TAX MAP PARCELS AND TOTAL LAND AREA APPLICABLE TO THE CDP APPLICATION IS SUMMARIZED IN THIS SHEET.
2. THE SITE DOES NOT LIE WITHIN ANY SPECIAL OVERLAY DISTRICTS.
3. THE CDP/FDP HAS BEEN FILED TO PERMIT THE REZONING OF THE PROPERTY TO THE PDH-3 ZONING DISTRICT TO PERMIT THE CONSTRUCTION OF SINGLE FAMILY DETACHED RESIDENCES.
4. THE BOUNDARY INFORMATION SHOWN HEREON IS COMPILED FROM A FIELD RUN BOUNDARY SURVEY BY URBAN LTD. DATED AUGUST, 2010.
5. THE TOPOGRAPHY SHOWN HEREON IS AT A ONE-FOOT CONTOUR INTERVAL DERIVED BY URBAN LTD. BASED ON FIELD RUN TOPOGRAPHY.
6. THE PROPOSED DEVELOPMENT IS IN CONFORMANCE WITH THE COMPREHENSIVE PLAN AND ALL PROVISIONS OF APPLICABLE ORDINANCES, REGULATIONS AND ADOPTED STANDARDS WITH THE EXCEPTION OF THE REQUESTED WANNERS AND MODIFICATIONS LISTED BELOW.
7. THE PROPERTY IS SERVED BY PUBLIC SEWER AND WATER (CITY OF FALLS CHURCH SERVICE AREA).
8. STORMWATER MANAGEMENT (SWM) AND BEST MANAGEMENT PRACTICES (BMP) SHALL BE PROVIDED ON SITE GENERALLY AS SHOWN ON THE CDP/FDP.
9. THERE ARE NO FLOODPLAINS, PROTECTED PROTECTION AREAS OR ENVIRONMENTAL QUALITY CORRIDORS ON THE PROPERTY.
10. THERE ARE NO GRAVE SITES KNOWN TO EXIST ON THIS SITE.
11. THERE ARE NO SCENIC OR NATURAL FEATURES DESERVING OF PROTECTION OR PRESERVATION ON THE PROPERTY.
12. TRANSPORTATION IMPROVEMENTS TO THE EXISTING ROAD NETWORK WILL BE PROVIDED AS SHOWN ON THE CDP/FDP AND AS COMMITTED TO IN THE PROFFER STATEMENT.
13. THE PROPOSED DEVELOPMENT WILL BE PHASED. THE PHASES WILL COMMENCE AS SOON AS REQUISITE PLANS AND PERMITS ARE APPROVED AND SUBJECT TO MARKET CONDITIONS. THE DEVELOPMENT MAY BE PHASED.
14. THERE ARE NO KNOWN HAZARDOUS OR TOXIC SUBSTANCES ON THE PROPERTY IF ANY SUCH SUBSTANCES ARE DISCOVERED, THE METHODS FOR REMEDIAL SHALL ADHERE TO COUNTY, STATE AND FEDERAL LAWS.
15. IN ACCORDANCE WITH THE PROVISIONS OF PARAGRAPH 4 OF SECTION 16-40.2 HUNDRED MODIFICATIONS TO THE SIZES, DIMENSIONS, FOOTPRINTS AND LOCATIONS OF BUILDINGS, SIDEWALKS, DRIVEWAYS, TRAILS AND UTILITIES MAY OCCUR WITH FINAL ENGINEERING AND DESIGN WITHOUT REQUIRING AN AMENDMENT TO THE CDP/FDP.
16. THERE ARE NO EXISTING UTILITY EASEMENTS (LOTS) OF OR GREATER THAN 25 FEET IN WIDTH ON THE PROPERTY.
17. IN ACCORDANCE WITH FAIRFAX COUNTY PDH SECTION 9-0302.2 (1) & (5), EMERGENCY VEHICLES SHALL HAVE ACCESS TO WITHIN 100' OF ALL BUILDINGS (1) WITHOUT TRAVELING WARD MORE THAN 100' ALONG THE PRIVATE STREET (6). SEE THIS SHEET FOR DETAIL.
18. THE APPLICANT IS SEEKING A WAIVER OF THE FOLLOWING PDH SECTION:
 - A. 6-2022(2A)(4) - TO PERMIT APPROXIMATELY 0.2-ACRES OF DRAINAGE AREA WHICH WOULD NATURALLY DRAIN TO THE NORTHERN SITE OUTFALL AT THE INTERSECTION OF LEWISBOROUGH TO INSTEAD DRAIN VIA A CLOSED CLOSURE SYSTEM TO THE INFILTRATION SYSTEM ON THE SOUTHERN SIDE OF THE SITE ALONG ELMWOOD ROAD. JUSTIFICATION IS AS FOLLOWS:
 - 1. THIS ALLOWS THE SITE TO BE TREATED AS ONE SWMP/PAF INSTEAD OF TWO.
 - 2. BOTH OUTFALL POINTS ARE IN THE SAME WATERSHED.
 - 3. THE CLOSED CONDUIT FOR TRANSPORTING THE WASTEWATER AREA TO THE SWMP/PAF AREA IS NOT DESIGNED TO CONVEY THE 100-YEAR STORM EVENT. THIS EVENT DOES NOT RELY ON THE CLOSED CONDUIT SYSTEM AND INSTEAD RELIES ON OVERLAND RELIEF. THE DIRECTION OF OVERLAND RELIEF IS STILL TO THE GENERAL DIRECTION OF LEWISBOROUGH FOR DRAINAGE AREA.
 - B. 12-507.2 - MODIFY THE PORE PRESERVATION TARGET
 - 12-505B.3(4) MEETING THE PORE PRESERVATION TARGET WOULD PRECIPITATE THE DEVELOPMENT OF USES OR DENSITIES OTHERWISE ALLOWABLE BY THE DRAINAGE DISTRICTS.
 - 12-505B.3(4)(3) CONSTRUCTION ACTIVITIES COULD BE REASONABLY EXPECTED TO IMPACT EXISTING TREES OR FORESTED AREAS USED TO MEET THE PORE PRESERVATION TARGET. TO THE EXTENT THESE WOULD NOT LIKELY SURVIVE IN A HEALTHY AND STRUCTURALLY SOUND MANNER FOR A MINIMUM 10-15 YEARS IN ACCORDANCE WITH THE POST-DEVELOPMENT STANDARDS FOR TREES AND FORESTED AREAS PROVIDED IN 12-504(3) AND 12-504(4).
19. THE APPLICANT IS SEEKING A WAIVER OF THE FOLLOWING ZONING SECTION:
 - A. 11-302.1 - PRIVATE STREETS WITHIN A DEVELOPMENT SHALL BE LIMITED TO THOSE STREETS WHICH ARE NOT REQUIRED OR DESIGNED TO PROVIDE ACCESS TO ADJACENT PARCELS AS DETERMINED BY THE DISTRICT CODE.
20. THE APPLICANT IS SEEKING TO MODIFY SECTION 6-0303.8 OF THE PDH TO ALLOW UNDERGROUND DETENTION FACILITIES WITHIN A RESIDENTIAL DEVELOPMENT.
21. EXTENSIONS INTO THE MINIMUM REQUIRED YARDS (E.G. DECKS, CORNERS, CANOPIES, ANNEXES, EAVES OR OTHER SIMILAR FEATURES) SHALL BE PERMITTED SUBJECT TO THE REQUIREMENTS OF Z-412 (FAIRFAX COUNTY ZONING ORDINANCE).

SITE AREA:	
TOTAL AREA:	= 2.28 ⁺ AC
*Paved ROAD R/W DEDICATION:	= 0.09 AC (4,370.57 ⁺ SF)
TOTAL SITE AREA AFTER DED:	= 2.19 AC
*AREA USED FOR DENSITY CALCULATIONS. DENSITY CREDIT IS TAKEN FOR THE PUBLIC ROAD R/W DEDICATION.	
EXISTING ZONING	= R-1
PROPOSED ZONING	= PDH-3
MINIMUM DISTRICT SIZE	= 2 ACRES
PROVIDED DISTRICT SIZE	= 2.28 ACRES
PROPOSED LOTS	= 6 SINGLE FAMILY DETACHED UNITS
MAXIMUM DENSITY	= 3 DU/AC
PROPOSED DENSITY	= 6.5/2.28 = 2.83 DU/AC
OPEN SPACE REQUIRED	= 20% OF SITE AREA PER 6-110
OPEN SPACE PROVIDED	= 428% OR ROUGHLY 0.60 AC
FRONT YARD	= N/A
FRONT YARD PROVIDED	= SEE TYPICAL LOT LAYOUT GRAPHIC
SIDE YARD	= N/A
SIDE YARD PROVIDED	= SEE TYPICAL LOT LAYOUT GRAPHIC
INTERIOR LOT WIDTH REQUIRED	= N/A
INTERIOR LOT WIDTH PROVIDED	= SEE TYPICAL LOT LAYOUT GRAPHIC
REAR YARD	= N/A
REAR YARD PROVIDED	= SEE TYPICAL LOT LAYOUT GRAPHIC
CORNER LOT WIDTH REQUIRED	= N/A
CORNER LOT WIDTH PROVIDED	= SEE TYPICAL LOT LAYOUT GRAPHIC



SCALE: 1"=50'(H); 1"=5'(V)



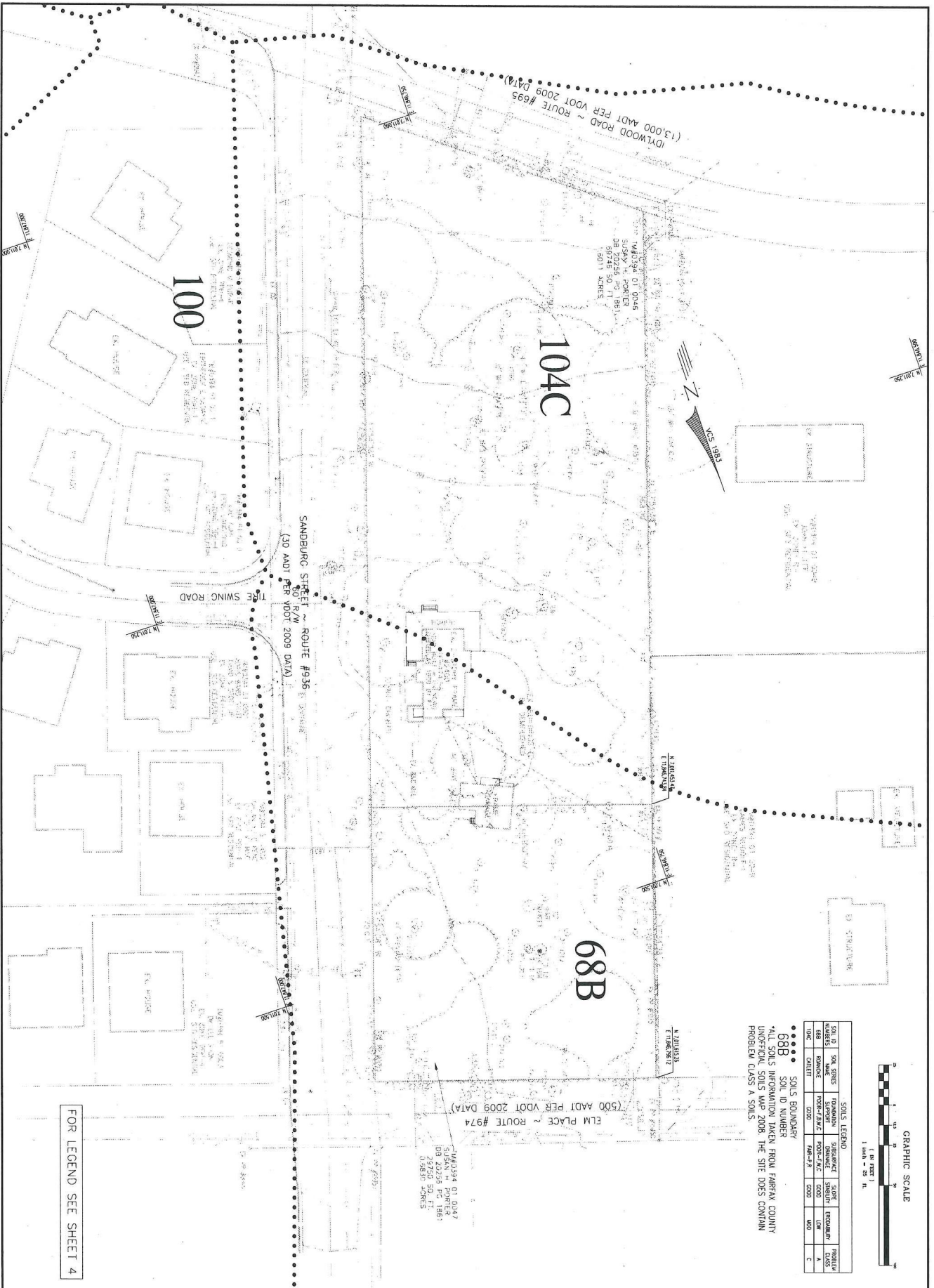
1. PARKING REQUIRED PER ZONING ORDINANCE
 SPD WITH PUBLIC STREET FRONTAGE = 2 SPACES/LOT * 4 LOTS = 8 SPACES
 SPD WITH ONLY PRIVATE STREET FRONTAGE = 3 SPACES/LOT * 2 LOTS = 6 SPACES
 TOTAL PARKING REQUIRED = 14 SPACES

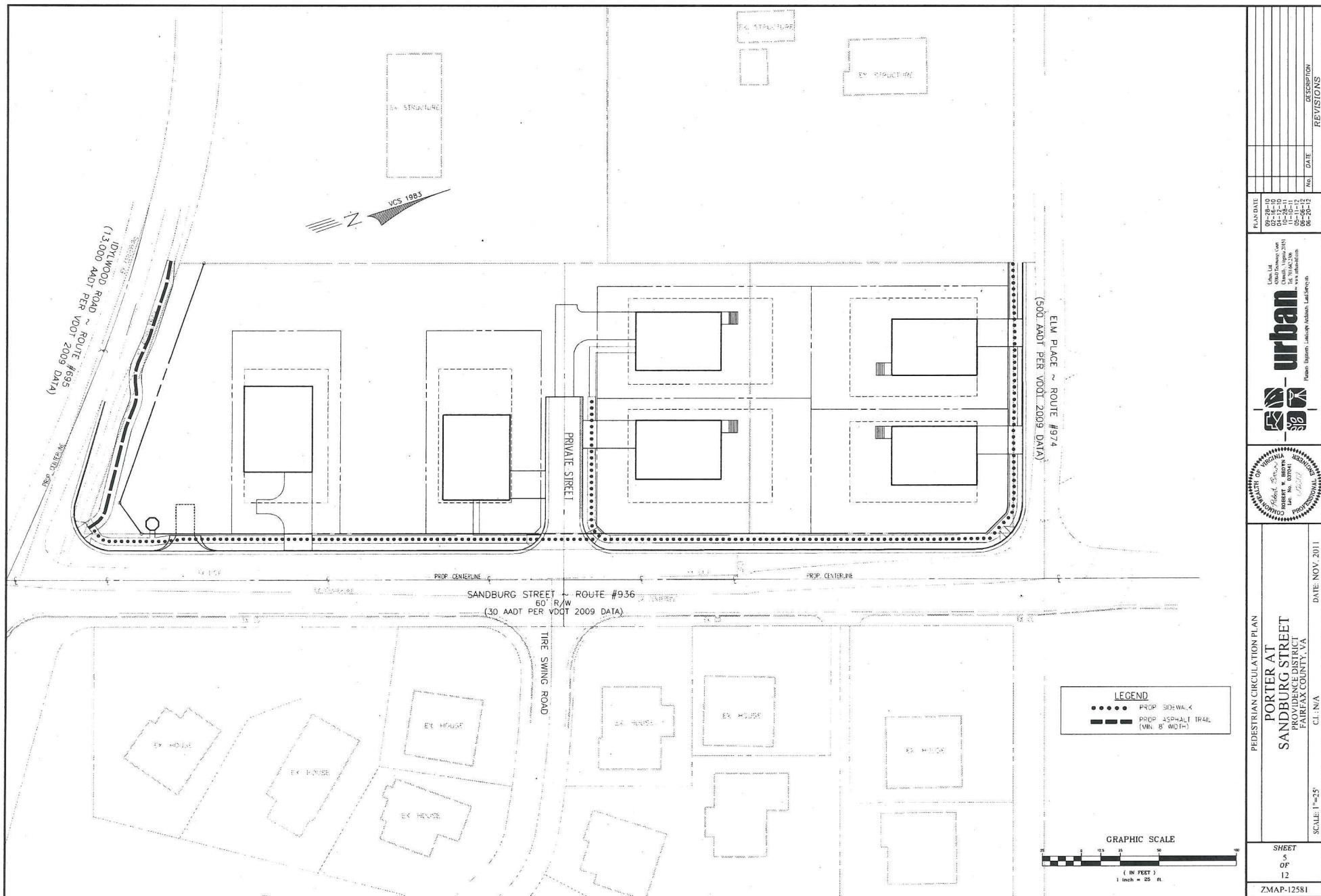
TOTAL PARKING SPACES PROVIDED
 4 SPACES PER UNIT (2 DRIVEWAY + 2 GARAGE)
 TOTAL PARKING PROVIDED=24 SPACES MIN. (4 PER LOT)
 TO BE MET VIA EITHER DRIVEWAY AND/OR GARAGE

NOTE: SINCE CORNER LOTS FRONT ON BOTH PUBLIC AND PRIVATE STREETS, ONLY TWO SPACES ARE REQUIRED.

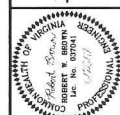
RZ 2010-FR-019				
TM PARCEL	OWNER	SIZE (SQUARE FEET)	CURRENT ZONING	PROPOSED ZONING
39-4-(1)-46	SUSAN H PORTER	69,746	R-1	PDH-3
39-4-(1)-47	SUSAN H PORTER	29,750	R-1	PDH-3
TOTAL		99,496 S.F.		
		2.28 ACRES		

NOTE: EACH PARCEL AREA ROUNDED TO NEAREST SQ. FT.

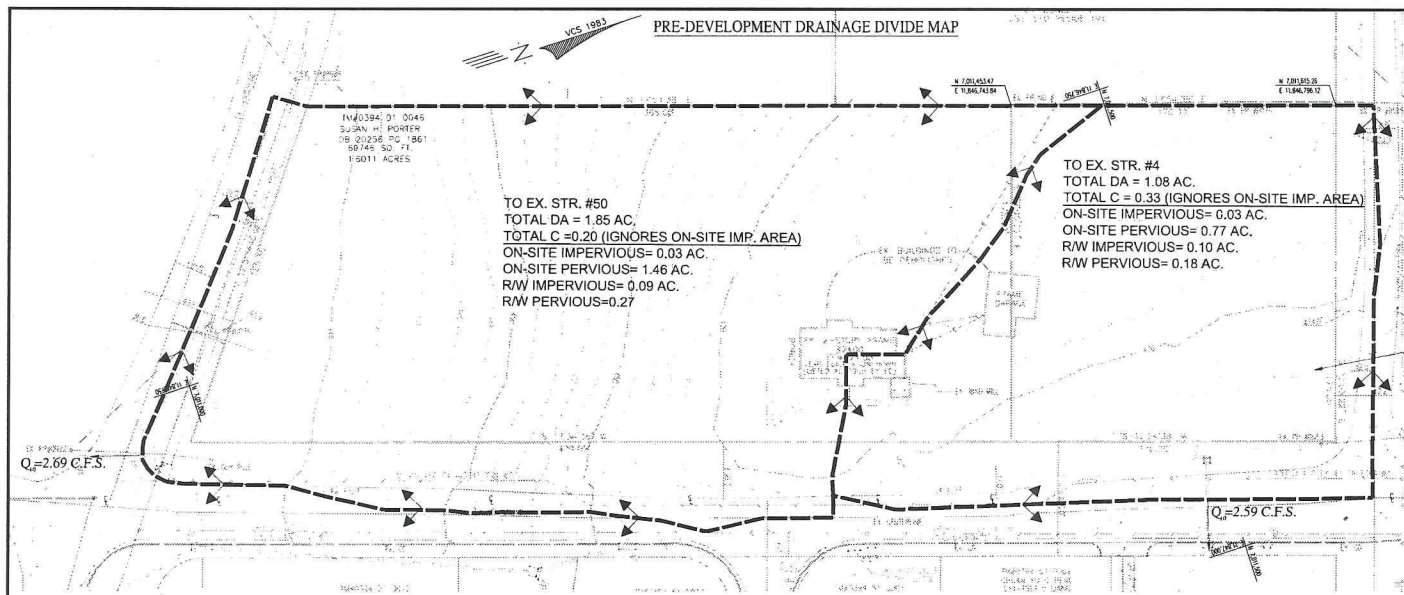




PLANNED	DATE	DESCRIPTION
01-16-10		
02-16-10		
03-16-10		
04-16-10		
05-16-10		
06-16-10		
07-16-10		
08-16-10		
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11-16-10		
12-16-10		
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12-16-11		



Robert W. Bracy Mayor Robert W. Bracy Mayor Robert W. Bracy Mayor	DATE: NOV. 2011 CL: N/A SCALE: 1"=25' SHEET 5 OF 12 ZMAP-12581
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SWM CALCULATIONS

1. SITE DESCRIPTION
 WATERSHED: CAUTION RUN
 TOTAL SITE AREA=485 SF (2.28 AC)
 TOTAL ON-SITE CONTROLLED= 80,786 SF (1.85 AC)
 TOTAL ON-SITE UNCONTROLLED= 3,155 SF (0.12 AC)
 TOTAL OFF-SITE CONTROLLED= 13,693 SF (0.31 AC)
 TOTAL TO ON-SITE DETENTION = 95,584 (2.28 AC)

2. PRE-DEVELOPED SITE RUN-OFF:
 A. TO STR. #50 (1.85 AC, C-FACTOR = 0.20)
 Q1 = 238 CFS
 Q2 = 235 CFS
 Q3 = 235 CFS
 Q4 = 235 CFS
 Q5 = 235 CFS
 Q6 = 235 CFS
 Q7 = 235 CFS
 Q8 = 235 CFS
 Q9 = 235 CFS
 Q10 = 235 CFS
 Q11 = 235 CFS
 Q12 = 235 CFS
 Q13 = 235 CFS
 Q14 = 235 CFS
 Q15 = 235 CFS
 Q16 = 235 CFS
 Q17 = 235 CFS
 Q18 = 235 CFS
 Q19 = 235 CFS
 Q20 = 235 CFS
 Q21 = 235 CFS
 Q22 = 235 CFS
 Q23 = 235 CFS
 Q24 = 235 CFS
 Q25 = 235 CFS
 Q26 = 235 CFS
 Q27 = 235 CFS
 Q28 = 235 CFS
 Q29 = 235 CFS
 Q30 = 235 CFS
 Q31 = 235 CFS
 Q32 = 235 CFS
 Q33 = 235 CFS
 Q34 = 235 CFS
 Q35 = 235 CFS
 Q36 = 235 CFS
 Q37 = 235 CFS
 Q38 = 235 CFS
 Q39 = 235 CFS
 Q40 = 235 CFS
 Q41 = 235 CFS
 Q42 = 235 CFS
 Q43 = 235 CFS
 Q44 = 235 CFS
 Q45 = 235 CFS
 Q46 = 235 CFS
 Q47 = 235 CFS
 Q48 = 235 CFS
 Q49 = 235 CFS
 Q50 = 235 CFS
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 Q52 = 235 CFS
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 Q93 = 235 CFS
 Q94 = 235 CFS
 Q95 = 235 CFS
 Q96 = 235 CFS
 Q97 = 235 CFS
 Q98 = 235 CFS
 Q99 = 235 CFS
 Q100 = 235 CFS

3. POST-DEVELOPED SITE RUN-OFF:
 A. TO STR. #50 (1.85 AC, C-FACTOR = 0.20)
 Q1 = 142 CFS
 Q2 = 142 CFS
 Q3 = 142 CFS
 Q4 = 142 CFS
 Q5 = 142 CFS
 Q6 = 142 CFS
 Q7 = 142 CFS
 Q8 = 142 CFS
 Q9 = 142 CFS
 Q10 = 142 CFS
 Q11 = 142 CFS
 Q12 = 142 CFS
 Q13 = 142 CFS
 Q14 = 142 CFS
 Q15 = 142 CFS
 Q16 = 142 CFS
 Q17 = 142 CFS
 Q18 = 142 CFS
 Q19 = 142 CFS
 Q20 = 142 CFS
 Q21 = 142 CFS
 Q22 = 142 CFS
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 Q24 = 142 CFS
 Q25 = 142 CFS
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 Q29 = 142 CFS
 Q30 = 142 CFS
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 Q99 = 142 CFS
 Q100 = 142 CFS

4. POST-DEVELOPED RUN-TO SWM FACILITY (C = 0.45, AREA = 1.85 AC)
 Q1 = 454 CFS
 Q2 = 454 CFS
 Q3 = 454 CFS
 Q4 = 454 CFS
 Q5 = 454 CFS
 Q6 = 454 CFS
 Q7 = 454 CFS
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 Q100 = 454 CFS

PORTER @ SANDBURG INFILTRATION AREA
 BMP STORAGE-ELEVATION CHART

ELEVATION (ft)	Area (ft²)	INT (ft³)	VOL (ft³)	ACCUM. VOL (ft³)	ACCUM. VOL (ac-ft)	ACCUM. VOL (ft³)
435.00	2,975	0	0	0	0	0
435.33	2,975	0.33	982	982	0.0225	36.36
435.67	2,975	0.34	1,012	1,993	0.0458	73.82
436.00	2,975	0.33	982	2,975	0.0683	110.19
436.33	2,975	0.32	962	3,937	0.0908	145.55
436.67	2,975	0.34	1,012	4,949	0.1141	184.01
437.00	2,975	0.33	982	5,931	0.1366	220.37
437.33	2,975	0.33	982	6,913	0.1591	256.73
437.67	2,975	0.50	1,488	8,401	0.1933	311.82

UNDERGROUND INFILTRATION SYSTEM
 SWM STORAGE-ELEVATION CHART

ELEVATION (ft)	Area (ft²)	INT (ft³)	VOL (ft³)	ACCUM. VOL (ft³)	ACCUM. VOL (ac-ft)	ACCUM. VOL (ft³)
435.00	2,975	0	0	0	0	0
435.33	2,975	0.33	982	982	0.0225	36.36
435.67	2,975	0.34	1,012	1,993	0.0458	73.82
436.00	2,975	0.33	982	2,975	0.0683	110.19
436.33	2,975	0.32	962	3,937	0.0908	145.55
436.67	2,975	0.34	1,012	4,949	0.1141	184.01
437.00	2,975	0.33	982	5,931	0.1366	220.37
437.33	2,975	0.33	982	6,913	0.1591	256.73
437.67	2,975	0.50	1,488	8,401	0.1933	311.82

WITH A 2.575 SF INFILTRATION FOOTPRINT AND A DESIGN INFILTRATION RATE OF 1.47 IN/HR, THE SWM INFLOW CAN BE REDUCED BY 1.47 IN/HR / 3600 * 2975 / 12 = 0.096 CFS SINCE THIS FLOW REDUCTION IS NEGLECTABLE, THE SWM ANALYSIS WAS CALCULATED WITHOUT INCLUDING INFILTRATION.

WITH A 7-INCH DITCHES AT ELEVATION 436.00 OF THE INFILTRATION SYSTEM VOLUME BETWEEN 435.00 & 436.00 IS USED FOR INFILTRATION AND A 4-FOOT LONG WEIR AT ELEVATION 437.67 OF THE SYSTEM THE OUTFLOWS ARE AS FOLLOWS:

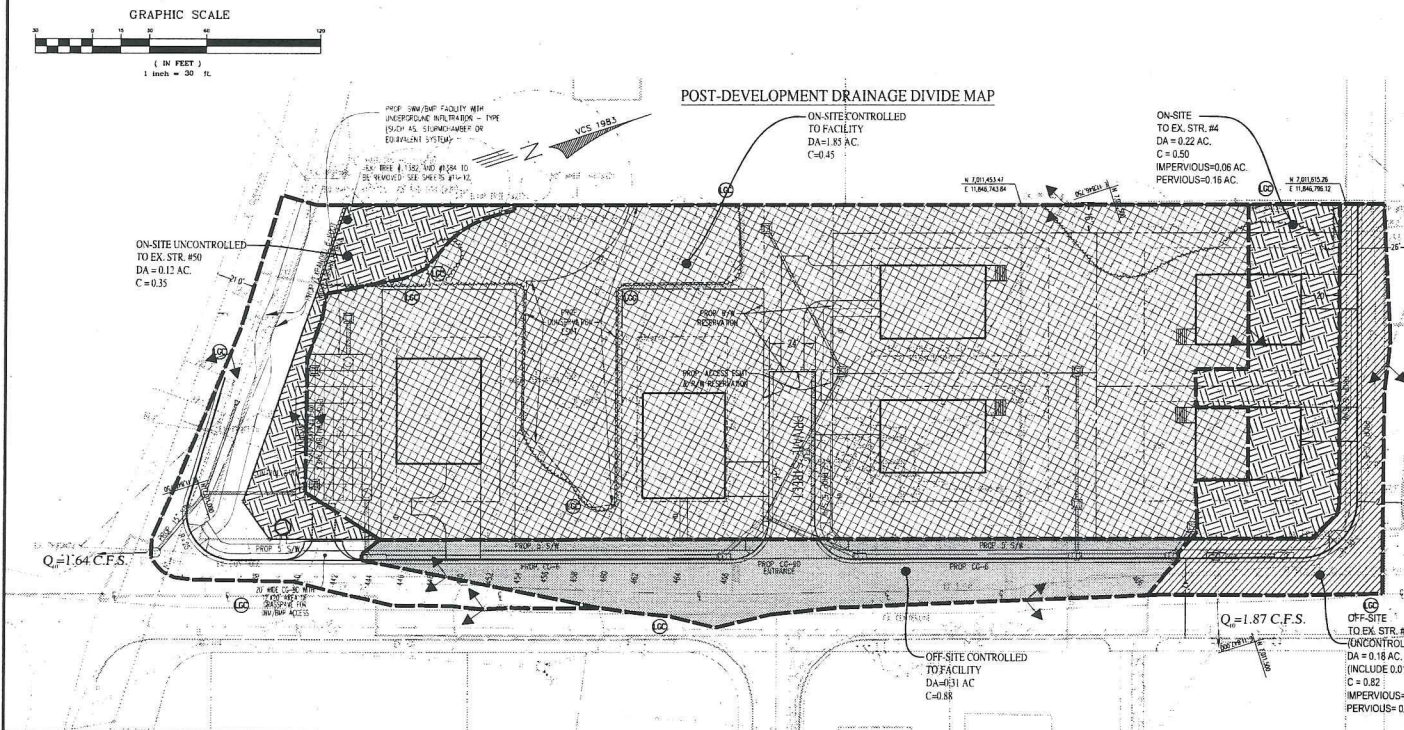
Q2 = 117 CFS < 179 CFS → OK (55% REDUCTION)
 Q3 = 125 CFS < 238 CFS → OK (48% REDUCTION)
 Q5 = 175 CFS < 271 CFS → OK (35% REDUCTION)

THE ABOVE ANALYSIS WAS GENERATED USING THE RATIONAL METHOD AS THE DRAINAGE AREA TO THE SWM FACILITY IS LESS THAN 100 ACRES AND DID NOT INCLUDE THE REDUCTION IN FLOW DUE TO INFILTRATION. SEE SHEET #2 FOR PRELIMINARY DETAIL OF DITCH, CONTROL STRUCTURE.

LEGEND

- ON-SITE CONTROLLED TO SWM FACILITY
- ON-SITE UNCONTROLLED
- OFF-SITE CONTROLLED TO SWM FACILITY

DRAINAGE AREA DELINEATION



PORTER @ SANDBURG INFILTRATION AREA
 BMP STORAGE-ELEVATION CHART

ELEVATION (ft)	Area (ft²)	INT (ft³)	VOL (ft³)	ACCUM. VOL (ft³)	ACCUM. VOL (ac-ft)	ACCUM. VOL (ft³)
435.00	2,975	0	0	0	0	0
435.33	2,975	0.33	982	982	0.0225	36.36
435.67	2,975	0.34	1,012	1,993	0.0458	73.82
436.00	2,975	0.33	982	2,975	0.0683	110.19
436.33	2,975	0.32	962	3,937	0.0908	145.55
436.67	2,975	0.34	1,012	4,949	0.1141	184.01
437.00	2,975	0.33	982	5,931	0.1366	220.37
437.33	2,975	0.33	982	6,913	0.1591	256.73
437.67	2,975	0.50	1,488	8,401	0.1933	311.82

UNDERGROUND INFILTRATION SYSTEM
 SWM STORAGE-ELEVATION CHART

ELEVATION (ft)	Area (ft²)	INT (ft³)	VOL (ft³)	ACCUM. VOL (ft³)	ACCUM. VOL (ac-ft)	ACCUM. VOL (ft³)
435.00	2,975	0	0	0	0	0
435.33	2,975	0.33	982	982	0.0225	36.36
435.67	2,975	0.34	1,012	1,993	0.0458	73.82
436.00	2,975	0.33	982	2,975	0.0683	110.19
436.33	2,975	0.32	962	3,937	0.0908	145.55
436.67	2,975	0.34	1,012	4,949	0.1141	184.01
437.00	2,975	0.33	982	5,931	0.1366	220.37
437.33	2,975	0.33	982	6,913	0.1591	256.73
437.67	2,975	0.50	1,488	8,401	0.1933	311.82

WITH A 2.575 SF INFILTRATION FOOTPRINT AND A DESIGN INFILTRATION RATE OF 1.47 IN/HR, THE SWM INFLOW CAN BE REDUCED BY 1.47 IN/HR / 3600 * 2975 / 12 = 0.096 CFS SINCE THIS FLOW REDUCTION IS NEGLECTABLE, THE SWM ANALYSIS WAS CALCULATED WITHOUT INCLUDING INFILTRATION.

WITH A 7-INCH DITCHES AT ELEVATION 436.00 OF THE INFILTRATION SYSTEM VOLUME BETWEEN 435.00 & 436.00 IS USED FOR INFILTRATION AND A 4-FOOT LONG WEIR AT ELEVATION 437.67 OF THE SYSTEM THE OUTFLOWS ARE AS FOLLOWS:

Q2 = 117 CFS < 179 CFS → OK (55% REDUCTION)
 Q3 = 125 CFS < 238 CFS → OK (48% REDUCTION)
 Q5 = 175 CFS < 271 CFS → OK (35% REDUCTION)

THE ABOVE ANALYSIS WAS GENERATED USING THE RATIONAL METHOD AS THE DRAINAGE AREA TO THE SWM FACILITY IS LESS THAN 100 ACRES AND DID NOT INCLUDE THE REDUCTION IN FLOW DUE TO INFILTRATION. SEE SHEET #2 FOR PRELIMINARY DETAIL OF DITCH, CONTROL STRUCTURE.

LEGEND

- ON-SITE CONTROLLED TO SWM FACILITY
- ON-SITE UNCONTROLLED
- OFF-SITE CONTROLLED TO SWM FACILITY

DRAINAGE AREA DELINEATION

urban
 Planning Engineers, Architects, Land Surveyors

PORTER AT SANDBURG STREET
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VA

SWM DRAINAGE DIVIDE MAP

REVISIONS

NO.	DATE	DESCRIPTION
1	10/11/2011	ISSUED FOR PERMIT
2	10/11/2011	REVISIONS
3	10/11/2011	REVISIONS
4	10/11/2011	REVISIONS
5	10/11/2011	REVISIONS
6	10/11/2011	REVISIONS
7	10/11/2011	REVISIONS
8	10/11/2011	REVISIONS
9	10/11/2011	REVISIONS
10	10/11/2011	REVISIONS
11	10/11/2011	REVISIONS
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64	10/11/2011	REVISIONS
65	10/11/2011	REVISIONS
66	10/11/2011	REVISIONS
67	10/11/2011	REVISIONS
68	10/11/2011	REVISIONS
69	10/11/2011	REVISIONS
70	10/11/2011	REVISIONS
71	10/11/2011	REVISIONS
72	10/11/2011	REVISIONS
73	10/11/2011	REVISIONS
74	10/11/2011	REVISIONS
75	10/11/2011	REVISIONS
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77	10/11/2011	REVISIONS
78	10/11/2011	REVISIONS
79	10/11/2011	REVISIONS
80	10/11/2011	REVISIONS
81	10/11/2011	REVISIONS
82	10/11/2011	REVISIONS
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84	10/11/2011	REVISIONS
85	10/11/2011	REVISIONS
86	10/11/2011	REVISIONS
87	10/11/2011	REVISIONS
88	10/11/2011	REVISIONS
89	10/11/2011	RE

TREE PRESERVATION NARRATIVE

TREE PROTECTION DURING CONSTRUCTION

A. Critical Root Zone

Tree preservation areas shall be identified on the site plan and construction plans and profiles. A "critical root zone" (CRZ) shall be delineated on the plans and clearly marked and protected in the field prior to any land disturbance. The CRZ shall be determined as follows: (Section 12-0506.20)

1. For individual trees, the CRZ shall be represented by a concentric circle centered on the tree trunk that represents the tree's drip-line.
2. For forest group trees, the CRZ shall be represented by a concentric circle centered on the tree trunk and measures 1 foot for each 1" of trunk diameter.

B. General Requirements

1. Prior to any land disturbance super sill fence shall be erected along the limits of clearing and grading. Protective barriers shall remain so erected throughout all phases of construction. No grade changes or storage of equipment, materials, debris, or fill shall be allowed within the area protected by the fence. No construction traffic, parking of vehicles, or disposal of liquids is permitted within the CRZ.

2. Tree roots which must be severed shall be cut by a trencher or similar equipment aligned radially to the tree. This method reduces the lateral movement of the roots during excavation, which if done by other methods could damage the intertwined roots of adjacent trees. This effort shall take place and be complete prior to any land disturbance activities.

3. Within four hours of any severance of roots, all tree roots that have been exposed and/or damaged shall be trimmed cleanly and covered temporarily with moist peat moss, moist burlap, or other moist biodegradable material to keep them from drying out until permanent cover can be installed.

4. Trees likely to die as a result of site disturbance activities within 25 feet of the super sill fence, as identified in the tree preservation plan, shall be removed.

5. Grade changes and excavations shall not encroach upon the tree CRZ, unless supported by plan prepared by a design professional in this field and approved by the County.

6. No toxic materials, including petroleum products, should be stored within 100 feet of the CRZ.

7. Sediment, retention, and detention basins shall not be located within the CRZ. The basins shall not discharge directly into the CRZ unless the discharge is transitioned back to sheet flow prior to entering the CRZ or is discharged into an adequate natural channel.

C. Pruning Methods

All final cuts shall be made sufficiently close to the trunk or parent limb but without cutting into the branch collar or leaving a protruding stub, according to the American National Standards Institute. All necessary pruning cuts must be made to prevent bark from being torn from the tree and to facilitate rapid healing. Flush cuts are unacceptable.

GUIDELINES FOR TREE PRESERVATION AREAS (TPAs)

The following general guidelines should be implemented for all cover types throughout the development process and as part of the overall maintenance of the TPA. These guidelines provide for the maintenance and overall health and sustainability of the TPAs.

1. Trees along the proposed limits of disturbance or in other areas of the TPA that pose potential hazard have been identified on the Tree Preservation Plan and shall be removed during the development process.

2. Invasive species should be identified and treated during the development process and as part of the long-term management program. Control techniques may include mechanical removal, herbicide, or cultural control methods based on the species, severity of invasion, and location relative to sensitive plants or areas.

3. The site should be monitored throughout development and as part of the long-term management for outbreaks of potentially serious insects and disease including gypsy moth, canker worm, wood boring insects, and other potentially devastating outbreaks. Frequent monitoring that identifies populations at low levels can prevent the need for large scale treatments.

4. Any hazardous trees will be identified for removal by the Project Arborist prior to site development.

5. Disturbed edges should be mulched to reduce the potential for invasion by undesirable species.

6. Thinning and removal of poor quality trees may be necessary to improve overall health. This item should be apart of the long-term management for any Cover Type.

7. Pest monitoring and control is important to prevent secondary and tertiary stress factors.

ON-SITE TREES 8" CALIPER & GREATER						
TREE NO.	LATIN NAME	COMMON NAME	SIZE	COMMENTS	POOR COND.	PRESERVE/REMOVE
1294	Acer saccharum	Sugar Maple	12			Remove
1295	Quercus rubra	Red Oak	8	Split Crown		Remove
1296	Morus alba	White Mulberry	22	Multi-stem		Preserve
1297	Morus alba	White Mulberry	10	Co-dominant		Preserve
1298	Acer platanoides	Norway Maple	32	Multi-stem		Remove
1299	Yucca inflexilis	Black Palm	15			Remove
1300	Quercus rubra	Red Oak	21	Dead/Hollow		Remove
1301	Quercus rubra	Red Oak	11	Multi-stem		Remove
1302	Quercus alba	White Oak	19	Dead/Hollow	Yes	Remove
1303	Acer platanoides	Norway Maple	10	Offsite, not tagged		Remove
1304	Acer platanoides	Norway Maple	10			Remove
1305	Robinia pseudoacacia	Black Locust	18	Toppled/Leaning	Yes	Remove
1306	Morus alba	White Mulberry	9			Remove
1307	Robinia pseudoacacia	Black Locust	19	Multi-stem		Remove
1308	Robinia pseudoacacia	Black Locust	10			Remove
1309	Morus alba	White Mulberry	11			Remove
1310	Acer platanoides	Norway Maple	9			Remove
1311	Prunus serotina	Black Cherry	15			Remove
1312	Prunus serotina	Black Cherry	27			Remove
1313	Morus alba	White Mulberry	6			Remove
1314	Morus alba	White Mulberry	11			Remove
1315	Acer glabrum	Japanese Maple	12	Multi-stem		Remove
1316	Fraxinus americana	White Ash	25	Multi-stem		Remove
1317	Fraxinus americana	White Ash	24			Remove
1318	Fraxinus americana	White Ash	24			Remove
1319	Aesculus hippocastanum	Horsechestnut	14			Remove
1320	Fraxinus americana	White Ash	10			Remove
1321	Morus alba	White Mulberry	10			Remove
1322	Fraxinus americana	White Ash	6			Remove
1323	Morus alba	White Mulberry	10			Remove
1324	Morus alba	White Mulberry	10			Remove
1325	Morus alba	White Mulberry	12			Remove
1326	Robinia pseudoacacia	Black Locust	23	Multi-stem		Remove
1327	Robinia pseudoacacia	Black Locust	12	Co-dominant trunk		Remove
1328	Morus alba	White Mulberry	10			Remove
1329	Prunus serotina	Black Cherry	6			Remove
1330	Prunus serotina	Black Cherry	10			Remove
1331	Quercus prinus	Chestnut Oak	45			Remove
1332	Quercus prinus	Chestnut Oak	35			Remove
1333	Fraxinus americana	White Ash	10			Remove
1334	Magnolia grandiflora	Southern Magnolia	12			Remove
1335	Robinia pseudoacacia	Black Locust	15			Remove
1336	Robinia pseudoacacia	Black Locust	9			Remove
1337	Fraxinus pennsylvanica	Green Ash	14			Remove
1338	Acer saccharum	Sugar Maple	25			Remove
1339	Liquidambar styraciflua	Sweetgum	24			Remove
1340	Quercus alba	White Oak	25	Vines growing on trunk		Remove
1341	Liquidambar styraciflua	Sweetgum	9			Remove
1342	Acer rubrum	Red Maple	8			Remove
1343	Linderothia tulipifera	Tulip Tree	8			Remove
1344	Quercus alba	White Oak	50			Remove
1345	Yucca canadensis	Eastern Hemlock	6			Remove
1346	Fraxinus americana	White Ash	6			Remove
1347	Quercus prinus	Chestnut Oak	10			Remove
1348	Quercus alba	White Oak	16			Remove
1349	Acer rubrum	Red Maple	8	Vines growing on trunk		Remove
1350	Prunus serotina	Black Cherry	12	Vines growing on trunk		Remove
1351	Prunus serotina	Black Cherry	15	Vines growing on trunk		Remove
1352	Morus alba	White Mulberry	9			Remove
1353	Prunus serotina	Black Cherry	11	Vines growing on trunk		Remove
1354	Quercus prinus	Chestnut Oak	12			Remove
1355	Yucca canadensis	American Holly	37			Remove
1356	Robinia pseudoacacia	Black Locust	8			Remove
1357	Acer rubrum	Red Maple	6			Remove
1358	Acer rubrum	Red Maple	9			Remove
1359	Quercus alba	White Oak	34			Remove
1360	Quercus alba	White Oak	36			Remove
1361	Quercus alba	White Oak	38			Remove
1362	Yucca canadensis	Eastern Hemlock	16	Dead	Yes	Remove
1363	Morus alba	White Mulberry	11			Remove
1364	Prunus serotina	Black Cherry	12	Trunk growing parallel to ground		Remove
1365	Yucca canadensis	Eastern Hemlock	18			Remove
1366	Prunus serotina	Black Cherry	9			Remove
1367	Prunus serotina	Black Cherry	10			Remove
1368	Linderothia tulipifera	Tulip Tree	9			Remove
1369	Linderothia tulipifera	Tulip Tree	8			Remove
1370	Quercus rubra	Red Oak	15			Remove
1371	Prunus serotina	Black Cherry	9	Toppled and Dead	Yes	Remove
1372	Fraxinus americana	White Ash	13	Toppled and Dead	Yes	Remove
1373	Robinia pseudoacacia	Black Locust	10	Toppled and Dead	Yes	Remove
1374	Robinia pseudoacacia	Black Locust	9	Toppled and Dead	Yes	Remove
1375	Prunus serotina	Black Cherry	18	Toppled	Yes	Remove
1376	Linderothia tulipifera	Tulip Tree	48			Remove
1377	Quercus stellata	Post Oak	24	Toppled and Dying	Yes	Remove
1378	Jurinea virginiana	Eastern Red Cedar	20			Remove
1379	Prunus serotina	Black Cherry	13	Toppled and Dead	Yes	Remove
1380	Gleditsia inaequalis var. thorns	Thornless Honey Locust	22	Toppled and Dying	Yes	Remove
1381	Quercus alba	White Oak	24	Toppled and Dying	Yes	Remove
1382	Sassafras albidum	Common Sassafras	11	Toppled and Dying	Yes	Remove
1383	Acer rubrum	Red Maple	20			Remove
1384	Quercus rubra	Red Oak	32	Dead	Yes	Remove
1385	Fraxinus americana	White Ash	21	Vines growing on trunk		Remove
1386	Yucca canadensis	Eastern Hemlock	60			Remove
1387	Betula papyrifera	White Birch	30	Multi-stem		Remove
1388	Linderothia tulipifera	Tulip Tree	10	Vines growing on trunk		Remove
1389	Linderothia tulipifera	Tulip Tree	10	Vines growing on trunk		Remove

*Trees to be removed or preserved subject to change upon final engineering

OFF-SITE TREES 8" CALIPER & GREATER						
TREE NO.	LATIN NAME	COMMON NAME	SIZE	COMMENTS	POOR COND.	PRESERVE/REMOVE
1	Quercus rubra	Red Oak	4			Preserve
2	Quercus rubra	Red Oak	22			Preserve
3	Pinus strobus	White Pine	6			Preserve
4	Pinus strobus	White Pine	8	Flowering Dogwood		Preserve
5	Pinus strobus	White Pine	8			Preserve
6	Pinus strobus	White Pine	9			Preserve
7	Pinus strobus	White Pine	9			Preserve
8	Pinus strobus	White Pine	9			Preserve
9	Pinus strobus	White Pine	9			Preserve
10	Pinus strobus	White Pine	9			Preserve
11	Pinus strobus	White Pine	9			Preserve
12	Pinus strobus	White Pine	9			Preserve
13	Quercus rubra	Red Oak	28			Preserve
14	Juniperus virginiana	Eastern Red Cedar	22			Preserve
15	Quercus rubra	Red Oak	24	Toppled, broken limbs	Yes	Preserve
16	Liquidambar styraciflua	Sweetgum	16			Preserve
17	Tsuga canadensis	Eastern Hemlock	10			Preserve
18	Acer rubrum	Red Maple	50	Crown decked		Preserve
19	Pinus strobus	American Holly	16			Preserve
20	Quercus rubra	Red Oak	22			Preserve
21	Linderothia tulipifera	Tulip Tree	24			Preserve
22	Quercus rubra	White Oak	59			Preserve
23	Fraxinus americana	White Ash	23			Preserve
24	Quercus rubra	Red Oak	10			Preserve
25	Pinus strobus	Black Cherry	14			Preserve
26	Linderothia tulipifera	Tulip Tree	15			Preserve
27	Linderothia tulipifera	N/A	14	Dead	Yes	Preserve
28	Acer rubrum	Red Maple	13	Top of tree has snapped	Yes	Preserve
29	Acer rubrum	Red Maple	45			Preserve
30	Robinia pseudoacacia	Black Locust	15	Dead, trunk has been cut	Yes	Preserve
31	Acer saccharum	Sugar Maple	10			Preserve
32	Fraxinus pennsylvanica	Green Ash	16			Preserve
33	Linderothia tulipifera	Tulip Tree	8			Preserve
34	Acer rubrum	Red Maple	20			Preserve
35	Robinia pseudoacacia	Black Locust	24			Preserve
36	Fraxinus pennsylvanica	Black Locust	48			Preserve
37	Quercus alba	White Oak	27			Preserve
38	Acer rubrum	Red Maple	17			Preserve
39	Quercus alba	White Oak	28			Preserve
40	Quercus rubra	Red Oak	28			Preserve
41	Quercus rubra	Red Oak	41	Crown decked		Preserve
42	Liquidambar styraciflua	Sweetgum	12			Preserve
43	Quercus rubra	Red Oak	20			Preserve

TREE PRESERVATION DETAILS

PORTER AT
SANDBURG STREET
PROVIDENCE DISTRICT
FAIRFAX COUNTY, VA

SCALE AS NOTED

SHEET
12
OF
12

ZMAP-12581

THIS PLAN PREPARED AND/OR APPROVED
BY A CERTIFIED ARBORIST

Kyle Berseth, ISA Certified Arborist
MA-5175A

PLAN DATE

02-28-2011
03-08-2011
03-15-2011
03-22-2011
03-29-2011
04-05-2011
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08-12-2014
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DESCRIPTION OF THE APPLICATION

The applicant, Kettler Sandburg, LLC, requests approval to rezone 2.28 acres from the R-1 District to the PDH-3 District to permit the development of six single-family detached dwelling units. The proposed development would result in a density of 2.63 dwelling units per acre (du/ac) and 26% open space. This report is an addendum to the staff report written on the original application where the applicant requested to rezone the site to the PDH-4 District for eight dwelling units at a density of 3.5 dwelling units per acre.

A reduced copy of the proposed Conceptual/Final Development Plan (CDP/FDP) is included in the front of this report. The applicant's draft proffers and staff's proposed Final Development Plan (FDP) conditions are included as Appendix 1 and 2, respectively. The applicant's statement of justification and affidavit are included in Appendices 3 and 4, respectively.

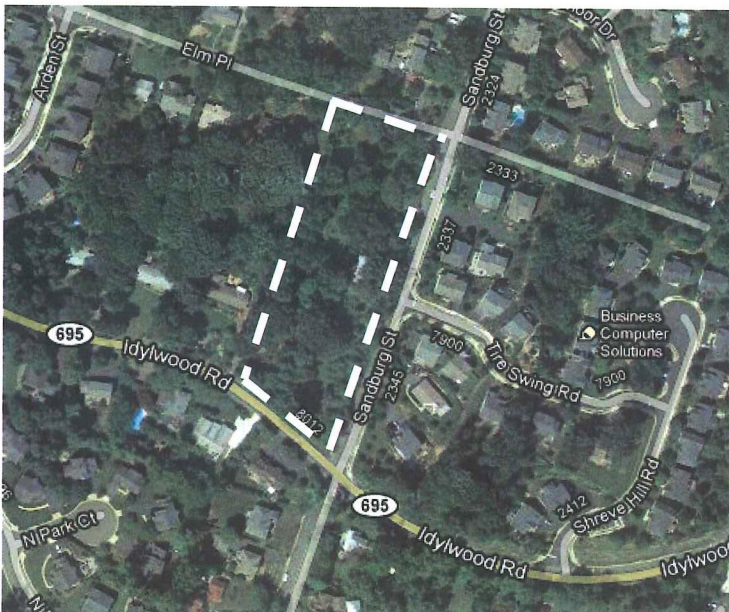
Waivers and Modifications

The applicant requests a deviation from the tree preservation target requirement in favor of the tree preservation shown on the CDP/FDP.

The applicant requests a waiver of the requirement that private streets within a development be limited to those streets which are not required or designed to provide access to adjacent properties.

LOCATION AND CHARACTER

The 2.28 acre subject property is located on the west side of Sandburg Street and south of Elm Street. There is a vacant single-family detached home and detached garage that is proposed to be demolished.



North/West: Single Family Detached (Dunn Loring), Zoned: R-1, Planned: Residential, 3-4 du/ac

South: Single Family Detached (Sandburg Terrace), Zoned: R-3, Planned: Residential, 3-4 du/ac

East: Single Family Detached (Idylwood Crest), Zoned: PDH-4, Planned: Residential, 3-4 du/ac

BACKGROUND

On December 15, 2011, the Planning Commission held a public hearing on the request to rezone the site for the development of eight single family detached units in a PDH-4 development. Concerns were raised by the public and the Planning Commission about the proposed density, layout, lot sizes and setbacks not being in character with the neighborhood. Concern was raised that the interparcel access would be a private instead of a public street. The citizens raised objections to the removal of the existing home. The citizens also raised concerns about the potential impact of stormwater management on adjacent properties. The Planning Commission closed the public hearing and deferred the decision. The applicant requested additional time to review their request in an attempt to address some of the citizen and Planning Commission concerns. The decision was deferred several times to facilitate a revised development plan. The applicant provided a substantial change to the application by reducing the number of units from eight to six, increasing the proposed lot sizes and changed the requested zoning district to PDH-3. The applicants also modified the stormwater management pond to provide additional detention and provided the option to have the interparcel access as a public road. Due to the scope of the changes and the fact that it has been over six months since the public hearing, this addendum will fully evaluate the revised proposal and a new public hearing before the Planning Commission will be held.

COMPREHENSIVE PLAN PROVISIONS

The Fairfax County Comprehensive Plan, 2011 Edition, Area II, Vienna Planning District, Amended through March 6, 2012, Cedar Community Planning Sector (V2) on page 55 and 57 states:

"Land Use

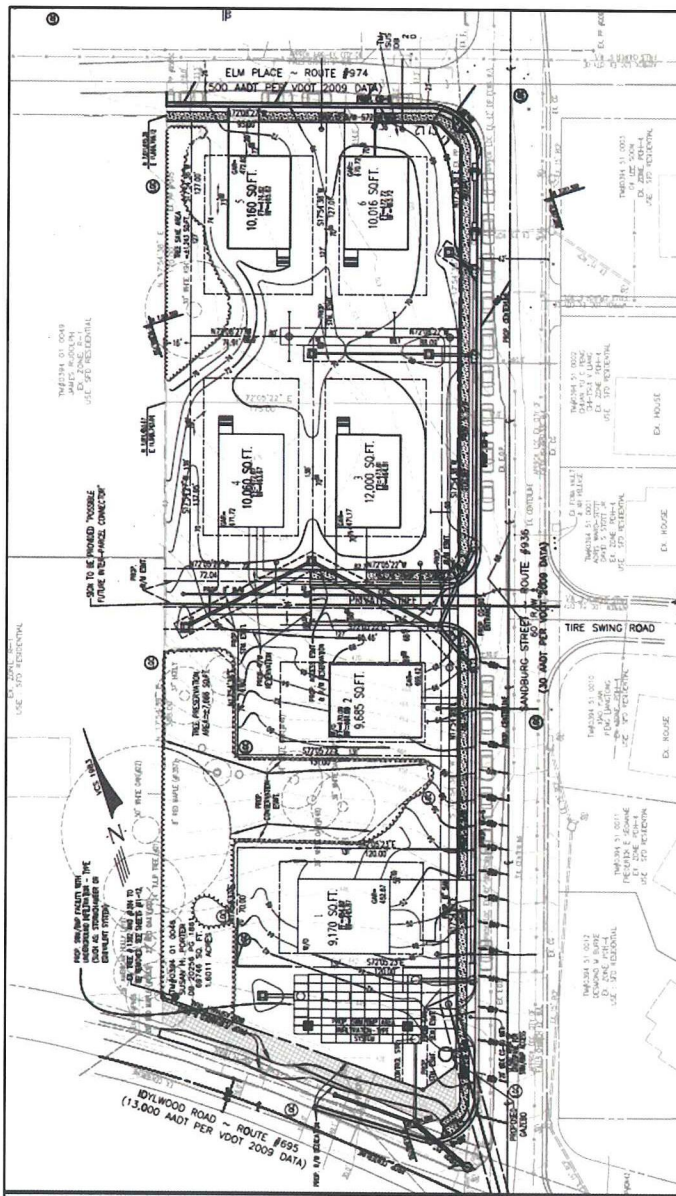
The Cedar sector is largely developed as stable residential neighborhoods. Infill development in these neighborhoods should be of a compatible use, type and intensity in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14."

- "4. The portion of the sector south of Railroad Street, north of Cottage Street, west of I-495 and east of Gallows Road is planned for residential use at 3-4 dwelling units per acre. Development above the low end of the Plan density range should meet the following conditions:
 - Provision of a substantial landscaped screen to ensure the elimination of any adverse visual impact upon nearby residentially planned areas from Gallows Road and the commercially-zoned parcel in the southeast quadrant of Gallows Road and Railroad Street;
 - Substantial consolidation of adjacent parcels to ensure coordinated development; and

- Provision of coordinated vehicular access so as not to exacerbate traffic flow along Gallows Road....”

Description of the Conceptual/Final Development Plan (CDP/FDP) (copy included at the front of the report.

The CDP/FDP titled: “Porter at Sandburg Street” was submitted by Urban LTD. consisting of 12 sheets dated November 2011 as revised through June 20, 2012, is reviewed below.



Lot Layout: The northern portion of the property contains Lots 5 and 6 that front onto Elm Street. These lots are 10,160 and 10,016 square feet, respectively. Lots 2-4 are in the central portion of the property and have access onto a private street. The lots range in size from 9,685 square feet to 12,000 square feet. The internal street could be extended to the west if interparcel access was needed. The southern portion of the site consists of a stormwater management pond and Lot 1 (9,170 square feet). The lot and pond have access from Sandburg Street. The development proposes an average lot size of 10,180 square feet with a range from 9,170 to 12,000 square feet. The lots are a minimum of 70 feet wide and depth ranges from 127 feet to 138 feet deep. The lots have a 20 foot front setback, including corner lots, with eight foot side and twenty-five foot rear yard setbacks. Staff notes that the applicant depicts houses on the lots, but the houses could be constructed anywhere within the provided building envelope. Four parking spaces per lot are provided within the two car garage and minimum 20 foot long driveway.

Tree Preservation: The site is heavily vegetated with several mature trees throughout the property. Approximately 26% of the site would remain as open

space primarily for tree preservation. The two tree preservation areas are located at the southern end of the site along the western property line (7,666 square feet) and the northwestern corner of the site (1,243 square feet).

Stormwater Management/Best Management Practices (SWM/BMP) Facilities: The proposed location for the SWM/BMP facility is in the southeastern corner of the property. The applicant proposes to provide a sub-surface stormwater management detention facility consisting of an underground infiltration facility that would allow the stormwater runoff to infiltrate into the ground. The Department of Public Works and Environmental Services (DPWES) has determined the proposed facility does not require Board of Supervisor approval of a waiver to allow underground detention in a residential area. The applicant is proposing a stormwater management facility that will accommodate a 25-year storm event, compared to the 10-year storm event required by the Public Facilities Manual (PFM). The net result is a 35% reduction in stormwater flow from the site during the 25-year storm event and 46% reduction in stormwater flow from the site during the 10-year event. The applicant proposes to meet the BMP requirements via the underground infiltration facility and tree conservation areas. A minimum of 40% phosphorous removal is required by the Public Facilities Manual, and it is calculated that this facility will provide 51% phosphorous removal.

Road Improvements: The applicant will dedicate right-of-way up to 45 feet from the centerline of Idylwood Road. The applicant will construct frontage improvements to Idylwood Road, Sandburg and Elm Street to include road widening and a new curb and gutter. With the frontage improvements the applicant will be providing for a five foot wide sidewalk along Elm and Sandburg Streets and an eight foot wide trail along Idylwood Road. The proposed internal private street is proffered to be developed to public street standards, and if the area to the west is redeveloped and requires an interparcel access, the applicant has proffered to dedicate the connection and has escrowed the funds needed for the on-site extension.

RESIDENTIAL DEVELOPMENT CRITERIA (Appendix 5)

Fairfax County expects new residential development to enhance the community by: fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on other public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing and, being responsive to the unique site specific considerations of the property. To that end, the Board of Supervisors adopted the Residential Development Criteria, to be used in evaluating zoning requests for new residential development and summarized below. The resolution of issues identified during the evaluation is critical if the proposal is to receive favorable consideration.

Site Design

All rezoning applications for residential development are expected to exhibit high quality site design. Developments are expected to address the consolidation goals in the Comprehensive Plan and integrate the proposed development with adjacent existing and planned development. This criterion further recommends that the proposed site layout provide for a logical design with appropriate relationships within the development with regard to unit orientation and the juxtaposition of yards, and include usable yard areas that can accommodate future decks and sunrooms. Further, it states that open space should be usable, accessible and integrated with the proposed development and that appropriate landscaping and amenities be provided.

The proposed development at 2.63 du/ac falls below the Comprehensive Plan recommended density range of 3-4 dwelling units per acre. The development does not consolidate with the R-1 zoned properties to the west as the Comprehensive Plan anticipates; however, the applicant has provided for the potential extension of the street to provide vehicular access if that area should redevelop. The street is currently proposed as a private street, but could be dedicated as a public street in the future. Lots 1 and 2 are in the southern portion of the site with Lot 1 being 70 feet wide and 131 feet deep and Lot 2 being 74 feet wide and 127 feet deep. Lot 2 has access from the internal private street but has the front façade facing Sandburg Street. The Sandburg Street frontage would be considered the front yard and the yard opposite Sandburg Street would be considered its rear yard and the yard opposite the private street would be considered its side yard. (The Zoning Ordinance defines the shorter of the two streets to be the front lot regardless of the location of the house entrance). Sunrooms and decks could be provided on the western side of the structure due to limited space on the southern side. Lots 3-6 are 72-80 feet wide and 127-137 feet deep. Two units have their sides to Sandburg Street; however, that is not an unusual occurrence for this area and the applicant has proffered to provide the same architectural treatment for the sides of the units that face a street as the front facade. As depicted, Lot 1 would provide 10 feet for the addition of a sunroom or deck without encroaching into the rear yard. Lots 2-6 depict 25-30 feet for potential sunrooms and decks without encroaching into the rear yard. There is a large open space along the western edge and between Lots 1 and 2, and a 15 foot wide open space along the northwestern edge of the property. The open space is largely used for the preservation of trees and is located along the western perimeter and the southwestern portion of the site. In staff's opinion, this criterion has been met.

Neighborhood Context

All applications for residential development, regardless of the proposed density, are expected to be designed to fit into the community within which the development is to be located as evidenced by an evaluation of: transitions to abutting and adjacent uses; lot sizes, particularly along the periphery; bulk and mass of the proposed dwelling units; setbacks; orientation of the proposed dwelling with regard to the adjacent streets and homes; architectural elevations; connections to non-motorized transportation facilities and the preservation of existing topography and vegetative cover. It is noted in this criterion that it is not expected that developments will be identical to their neighbors and that the individual circumstances of the property will be considered.

The applicant is proposing single family detached structures in an area that consist of single family detached structures. The area has both conventional and planned developments ranging from R-1 to PDH-5. The western perimeter has tree save 15 feet in width along the northwestern side and 40 feet in width along the southwestern side. The proposed setbacks of 20 feet for front, eight feet for side and 25 feet for rear are comparable to an R-3 cluster setbacks of 20 foot front, 25 foot rear and 8 foot wide side yards but a total minimum of 20 feet. The applicant is providing for sidewalks/trails along the frontage of the site.

Staff compared the proposed PDH-3 development with other PDH developments in the area governed by the same Comprehensive Plan language (recommendation 4), which is the area south of Railroad Street, north of Cottage Street, west of I-495 and east of Gallows Road. Below is the map of the area subject to the same 3-4 du/ac recommendation and Table 1 summarizing what the four Planned Districts provided in terms of lot sizes and open space.

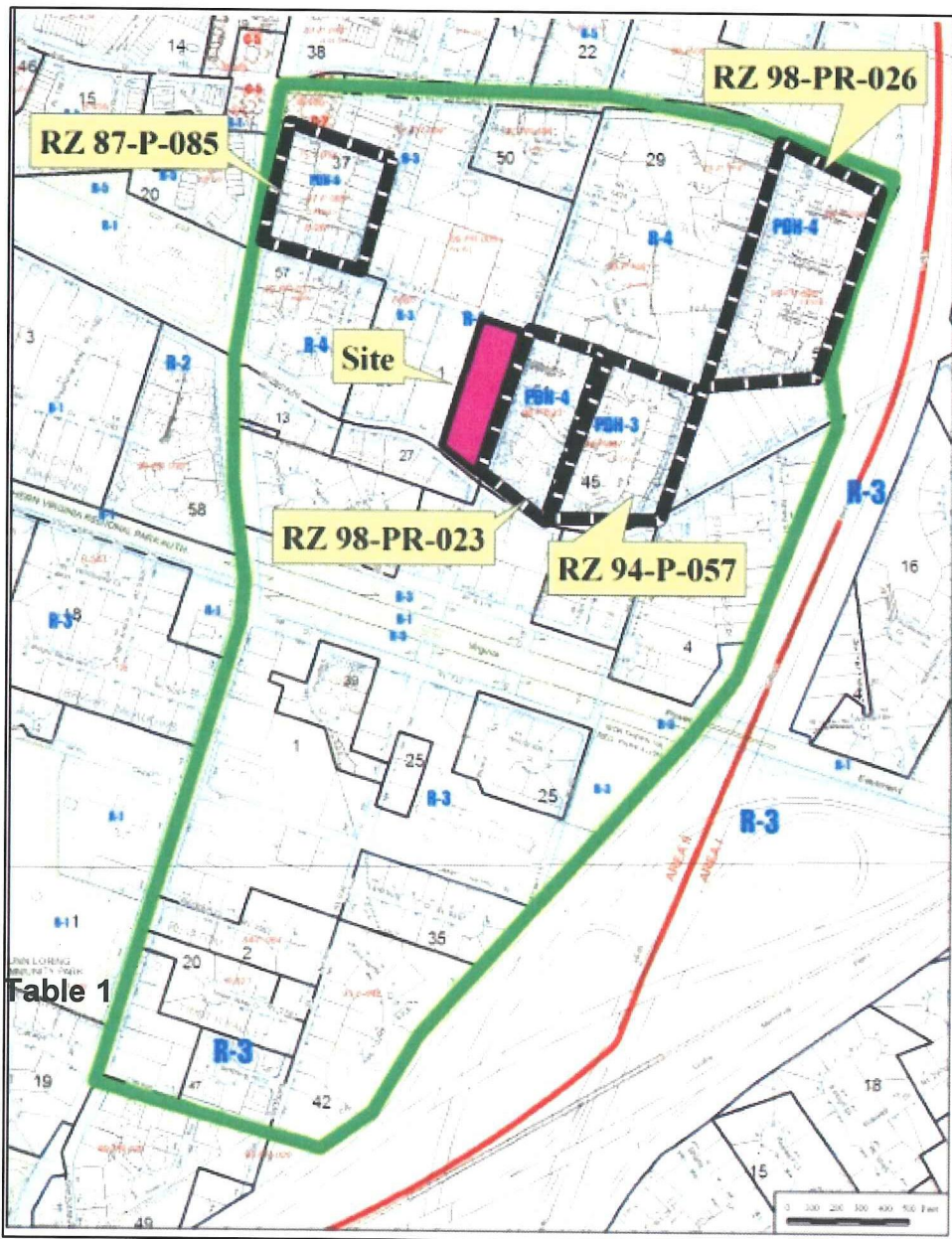


Table 1

Rezoning	District	Minimum Lot Size	Maximum Lot Size	Average Lot Size	District Size	Open Space
RZ 87-P-085	PDH-4	5,160 SF	6,150 SF	5,800 SF	4.7 AC	34%
RZ 98-PR-026	PDH-4	4,400 SF	7,283 SF	5,197 SF	12.7 AC	33%
RZ 98-PR-023	PDH-4	7,500 SF	13,500 SF	9,803 SF	4.19 AC	26%
RZ 94-P-057	PDH-3	7,700 SF	16,344 SF	10,050 SF	6.21 AC	20%
RZ 2010-PR-019 (Application Site)	PDH-3	9,170 SF	12,000 SF	10,180 SF	2.28 AC	26%

The lots of the existing four planned districts range in size from 4,400 square feet to 16,344 square feet. In comparison the subject application has the largest minimum (9,170 square feet) and average lot size (10,180 square feet) and is in the middle for maximum lot size (12,000 square feet). The application falls in the middle for open space provided, but the proposed 26% exceeds the minimum required 20%. The application preserves trees within the open space, which is typically what the other planned districts provided within the open space.

The two properties directly to the west, of the application property are zoned R-1 and are slightly over one acre each. West of those two lots are two lots zoned R-2 that are both in excess of one acre. These lots could potentially redevelop in the future in accordance with the Comprehensive Plan to 3-4 dwelling units per acre. The rest of the Comprehensive Plan area is zoned R-3 or R-4 with the exception of the Dunn Loring subdivision to the north zoned R-1 and two lots recently rezoned to the R-2 District. These lots range in size from 16,300 to 38,800 square feet. Below Table 2 depicts the requirements of the R-3 and R-4 Districts compared to the applicant's development plan.

Table 2

	R-3 District	R-4 District	Proposed PDH-3
Dwelling Units Per Acre	3 du/ac	4 du/ac	2.63
Open Space Provided	No Requirement	No Requirement	26%
Average Lot Size	11,500 SF	8,800 SF	10,180 SF
Minimum Lot Size	10,500 SF	8,400 SF	9,170 SF
Front Yard Setback	30 feet	30 feet	20 feet
Side Yard Setback	12 feet	10 feet	8 feet
Rear yard Setback	25 feet	25 feet	25 feet

In staff's opinion, the development fits into the context of the neighborhood and meets this criterion.

Environment (Appendix 6)

All new residential developments are expected to respect the environment. Natural environmental resources should be preserved and existing topographic conditions and soil characteristics should be considered. Off-site impacts water quality should be minimized by commitments to state of the art best management practices and low impact site design techniques, and the volume and velocity of stormwater runoff should be managed to avoid impacts on downstream properties. Future and current residents should be protected from the adverse impacts of transportation generated noise. Any exterior lighting fixtures should minimize neighborhood glare and impacts to the night sky. The development should use site design techniques to achieve energy savings and be designed to encourage and facilitate walking and bicycling.

The proposed development provides for the preservation of trees as detailed under the tree preservation criterion below. Stormwater management is provided in excess of the requirements as detailed under the stormwater management analysis of the public facilities criterion below.

Lot 1 may be affected by traffic noise from Idylwood Road and mitigation should be provided. Any noise mitigation measures should account for increased traffic volume and associated increased noise levels with future improvements of Idylwood Road. In accordance with Comprehensive Plan guidance the applicant has proffered to provide building materials to ensure that interior noise does not exceed 45 dBA L_{dn} , and will also provide screening and/or fencing so the rear yard does not exceed 65 dBA L_{dn} .

In accordance with the County's green building policy, the applicant has committed to the attainment of Energy Star Qualified Homes or Earthcraft House prior to the issuance of a residential use permit (RUP) for each dwelling. The site also provides for sidewalks and trails on the perimeter to facilitate walking. In staff's opinion, this criterion has been met.

Tree Preservation & Tree Cover Requirements (Appendix 7)

Regardless of the proposed density all residential developments are expected to be designed to take advantage of existing quality tree cover. Tree cover in excess of the ordinance requirement is highly desirable.

The subject property is characterized by a dense canopy of evergreen and deciduous trees. The development plan depicts a 7,666 square foot area tree save area which extends along the southwestern corner of the subject property and between Lots 1 and 2, and a 1,243 square foot tree conservation area on the northwestern edge of the property. The applicant revised their plans to address minor technical comments from Urban Forest Management staff. With the revisions Urban Forest Management staff is satisfied with the proposed amount of tree preservation and quality of trees being preserved on-site. In staff's opinion, this criterion has been met.

Transportation (Appendix 8)

Regardless of the proposed density all residential developments are expected to implement measures to address planned transportation improvements and offset their impacts to the transportation network. The criterion contains principles that will be used in the evaluation of rezoning applications for residential development, while noting that not all principles will be applicable in all instances. These principles include transportation improvements, transportation management, interconnection of the street network, provision of public streets and non-motorized facilities.

In accordance with the Countywide Trails Plan map the applicant depicts a major paved trail defined eight feet or more in width on the southern property boundary adjacent to Idylwood Road. The CDP/FDP also shows a proposed five foot wide trail along Sandburg and Elm Streets adjacent to the subject property. The applicant has provided for right-of-way dedication and frontage improvements along Elm Street, Sandburg Street and Idlywood Road. The frontage improvements generally consist of half section widening on Elm Place of approximately 14-feet from existing centerline with curb and gutter along the site frontage; half section widening on Sandburg Street with curb and gutter along the site frontage, which will establish Sandburg Street as approximately 42-feet wide from curb to curb; and improvements to the Sandburg/Idylwood intersection consisting of an increased radius with a \pm 65-foot taper to be constructed with curb and gutter. The applicant revised their proffers to provide for the frontage improvements prior to issuance of a residential use permit for the impacted units. In addition, the applicant has provided for a potential interparcel access to the properties to the west should the redevelop in the future. Staff notes that the private street is not required to extend to the property line or have a turnaround for fire access since it is less than 100 feet in length.

The Virginia Department of Transportation (VDOT) had expressed the desire to remove the language not requiring utility pole relocation for the improvement to Idlywood Road. Staff notes that the applicant met with VDOT and Fairfax County Department of Transportation (FCDOT) on the Idlywood Road improvements and agreed that the proposed improvements were adequate and would not require the utility pole relocation. In staff's opinion, this criterion has been met.

Public Facilities

Residential development is expected to offset its public facility impact, including parks, schools, stormwater management, water facilities, fire and rescue and sanitary sewer.

Fairfax County Park Authority (Appendix 9)

In accordance with the Zoning Ordinance the applicant has proffered to provide on-site recreation facilities or a contribution for off-site facilities at a minimum of \$1,700 per unit. To off-set the increased demand the applicant was requested to contribute an additional \$13,395 for the development of one or more parks located within the service area of the property. The applicant has proffered to contribute \$2,232.50 per unit prior to each building permit for a total of \$13,395 to the South Railroad Street Park. As

detailed under the Heritage Resource criterion, the applicant proffered to document the existing structure and perform archaeological surveys.

Fairfax County Public Schools (Appendix 10)

According to the formula used by the Fairfax County Public Schools the proposed development would be expected to generate one additional Stenwood Elementary student, one additional Kilmer Middle School student and one additional Marshall High School student. The applicant was requested to contribute \$28,134 to the Fairfax County Public Schools to address capital improvements to the applicable schools that would receive students as a result of the proposed development. The applicant has proffered to contribute \$4,689 per unit prior to the issuance of each building permit for a total of \$28,134 to the Marshall High School pyramid or Cluster II schools as requested by the Fairfax County Public Schools.

Stormwater Management (Appendix 11)

There is no Resource Protection Area (RPA) or floodplain on-site nor are there downstream drainage complaints on file. The subject property falls within the Cameron Run Watershed. An infiltration system described as a storm chamber or an equivalent type vault is shown on the southern of the site adjacent to Idylwood Road. The facility will accommodate a 25-year storm event, compared to the 10-year storm event required by the Public Facilities Manual (PFM). The net result is a 35% reduction in stormwater flow from the site during the 25-year storm event and 46% reduction in stormwater flow from the site during the 10-year event. Staff notes that the proposed system would require approval of a modification of the Public Facilities Manual (PFM), requirement at the time of site plan. The applicant will also be requesting a site plan modification to allow 0.20 acres of drainage area from the northern portion of the site to be treated by the proposed facility. In the event that the proposed modifications are not approved at site plan the applicant will likely need to request a proffered condition amendment. The applicant proposes to meet the BMP requirements via the underground infiltration facility and tree conservation areas. Forty percent phosphorous removal is required and it is calculated that the applicant will provide 51% phosphorous removal.

Fairfax County Water Authority (Appendix 12)

The Fairfax County Water Authority Planning and Engineering Division staff has reviewed the application and stated that in the past water service to this area has been provided by the City of Falls Church Department of Public Utilities. However, it is noted that Fairfax Water has an existing 42 inch main in Sandburg Street capable of providing domestic water and there is no impediment to Fairfax Water serving this site.

Fire and Rescue (Appendix 13)

The subject property is serviced by the Fairfax County Fire and Rescue Department Station #413, Dunn Loring. The requested rezoning currently meets fire protection guidelines, as determined by the Fire and Rescue Department.

Sanitary Sewer (Appendix 14)

The subject property is located within the Cameron Run (I-1) watershed and would be sewered into the Alexandria Sanitation Authority and the existing eight inch line in the street is adequate for the proposed development.

Affordable Housing

Ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of the County. An applicant may elect to fulfill this criterion by providing affordable units that are not otherwise required by the ADU Ordinance. As an alternative, land, adequate and ready to be developed for an equal number of units may be provided to the Fairfax County Redevelopment and Housing Authority or to such other entity as may be approved by the Board. Satisfaction of this criterion may also be achieved by a contribution to the Housing Trust Fund or, as may be approved by the Board, a monetary and/or in-kind contribution to another entity whose mission is to provide affordable housing in Fairfax County, equal to 0.5% of the value of all of the units approved on the property except those that result in the provision of ADUs.

Given that the proposed residential development does not exceed 50 dwelling units, Part 8 of Article 2 of the Zoning Ordinance does not require that affordable dwelling units to be provided. In accordance with County policy the applicant has proffered to contribute ½% of the projected sales price of the all of the units to the Fairfax County Housing Trust Fund. In staff's opinion, this criterion has been met.

Heritage Resources (Appendix 15)

Heritage resources are those sites or structures, including their landscape settings that exemplify the cultural, architectural, economic, social, political, or historic heritage of the County or its communities. Such sites or structures have been listed on, or determined eligible for listing on, the National Register of Historic Places or the Virginia Landmarks Register; determined to be a contributing structure within a district so listed or eligible for listing; located within and considered as a contributing structure within a Fairfax County Historic Overlay District; or listed on, or having a reasonable potential as determined by the County, for meeting the criteria for listing on, the Fairfax County Inventories of Historic or Archaeological Sites. Sites with heritage resources should be preserved and/or document the resource.

The site was recorded in a historic resources survey of the Dunn Loring area in 1993. During that time there was an interest in creating a Dunn Loring historic overlay district, but that effort was abandoned in 1996 when there did not appear to be community consensus on creating the district. The area's architecture and historic importance was based upon the community's significance as a whole and not on a single building. The property was determined not to be eligible for listing on the National Register of Historic Places or the Virginia Landmarks Register.

The house has not been lived in for many years and the current owner stated that the roof leaks, there is extensive water damage and dry rot, termite damage, and foundation under only half of the house. They further stated that the HVAC, plumbing and electrical systems are all in need of replacement. The owner indicated they did attempt to sell the house to individuals who would repair the structure but were unsuccessful.

In accordance with the Comprehensive Plan guidance the applicant has proffered to conduct a Phase I and/or Phase II archaeological study of the site. The applicant has committed to providing the results of the study to the Cultural Resources Management and Protection Section of the Fairfax County Park Authority (CRMP), and to conduct additional Phase III evaluation and/or recovery in consultation and coordination with CRMP, if it is deemed necessary. Additionally, the applicant has proffered to photographic documentation of the existing dwelling on the property and to provide them to the Department of Planning and Zoning and the Virginia Room of the Fairfax County Public Library. In staff's opinion, this criterion has been met.

ZONING ORDINANCE PROVISIONS (Appendix 16)

Standards for all Planned Developments (Sect. 16-100)

Section 16-101 contains six general standards that must be met by a planned development. Section 16-102 contains three design standards to which all Conceptual and Final Development Plans are subject. The standards are summarized below and included in Appendix 16.

Sect. 16-101, General Standards

General Standard 1 requires that the planned development substantially conform to the adopted comprehensive plan with respect to type, character and intensity.

The Comprehensive Plan for this area is residential at 3-4 dwelling units per acre. The development is for single family detached units at 2.63 dwelling units per acre. The Comprehensive Plan provides guidance for development above the low end to provide for consolidation and addressing visual and vehicular impacts from Gallows Road. The development falls below the low end of the Comprehensive Plan range and is not located adjacent to Gallows Road. The development consolidates two parcels and provides for future access for the potential redevelopment of the adjacent parcels. In staff's opinion, the development provides for similar density, character and unit type to the existing developments in the area and this standard has been met. General Standard 2 requires that the planned development achieves the stated purpose and intent of the planned development district more than under a conventional district.

The Planned Development Housing District was established to encourage innovative and creative design to insure ample provision and efficient use of open space; to promote high standards in the layout, design and construction of residential development. The planned district permits smaller lot sizes than a conventional R-3 or R-4 District, thus enabling the preservation of open space and tree save areas that would not be possible with a conventional district. In staff's opinion, this standard has been met

General Standard 3 requires the planned development efficiently utilize the land and preserve scenic and natural features to the extent possible.

The planned district allows for the provision of open space and provides for tree preservation within open space. A conventional district would have likely have placed the trees within individual lots with less assurance that the trees would be maintained. The application concentrates development on the northern portion of the site where the site is flat, whereas, a conventional district would have more evenly displaced the units and cause more clearing and grading. In staff's opinion, this standard has been met.

General Standard 4 requires that the planned development be designed to prevent substantial injury to surrounding development and not deter or impede development.

The development provides for open space buffers for the abutting properties to the west. The development provides for a similar lot size to the developed planned and conventional districts developed in the area in accordance with the Comprehensive Plan range. In staff's opinion, this standard has been met.

General Standard 5 requires the planned development to be located in an area with adequate public facilities.

The development is located in an area with adequate water, sewer and fire prevention services. The applicant will be enhancing the transportation network and providing contributions to off-set impacts to parks and schools. In staff's opinion, this standard has been met.

General Standard 6 requires the planned development provide coordinated linkages.

The development provides for pedestrian linkages with sidewalks along the adjacent streets and transportation improvements by widening the roads. The applicant provides for the potential interparcel access to the west if the lots are redeveloped. In staff's opinion, this standard has been met.

Sect. 16-102, Design Standards

Whereas it is the intent to allow flexibility in the design of all planned developments, it is deemed necessary to establish design standards by which to review rezoning

applications, conceptual and final development plans. Therefore, the following design standards shall apply:

Design Standard 1 requires that in order to complement development on adjacent properties, at all peripheral boundaries the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which it most closely characterizes.

The R-3 Cluster District would be the similar conventional district. That district required 20 foot front yards, 8 foot side yards, but a total of 20 feet and 25 foot rear yards. The applicant has provided for 20 foot front, 8 foot side and 25 foot rear yard setbacks. In addition, due to the location of open space no units are directly abutting an adjacent property. In staff's opinion, this standard has been met.

Design Standard 2 requires that the open space, off-street parking, loading, sign and all other similar regulations have general application.

The application exceeds the minimum open space for planned districts, exceeds the required parking spaces and will meet the other regulations of the County. In staff's opinion, this standard has been met.

Design Standard 3 requires that streets and driveways be designed to generally conform to the provisions of the ordinance. Street systems should be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.

The applicant has provided for improvements to the public streets, sidewalks and trails. The applicant will be providing an internal private street that could be extended for interparcel access to the west in the future. This access could be as either a private or public street and would be dependent on the adjacent parcel redevelopment. In staff's opinion, this standard has been met.

Modifications/Waivers

Private Street Interparcel Access

The applicant has requested a waiver of Section 11-302 (1) of the Zoning Ordinance that requires private streets within a development to be limited to those streets which are not required or designed to provide access to adjacent properties. The proposed internal street is currently a private street and could be extended to the west as either a private or public street if the adjacent properties are redeveloped with interparcel access. In general staff believes that if the interparcel connection takes place it should be as a public road; however, staff can support the proposed waiver since that decision on street

type will be made at the time of redevelopment of the adjacent property and the proposed street will be designed and constructed to satisfy public street design standards.

Tree Preservation Target

The applicant is requesting a deviation from the tree preservation target for the percentage of the 10-year canopy requirement being met through tree preservation. The applicant is required to provide for 25% of the site or 24,874 square feet in 10-year tree canopy and will provide 25,034 square feet. However, applicants are encouraged to meet part of that canopy requirement through the preservation of existing trees instead of just new plantings. The preservation requirement is 75% (18,656 square feet) of the required canopy requirement. The applicant is providing for 36% (8,909 square feet) of the canopy requirement through preservation. The deviation request is for the tree preservation target only and not for the total tree canopy for the site, which the applicant exceeds.

Section 12-0508.3A (1) allows the deviation of the tree preservation target if meeting the preservation target would preclude the development of densities otherwise allowed by the Zoning Ordinance. The proposed development is under the Comprehensive Plan range and the applicant has provide for larger lot sizes instead of open space to address concerns of the citizens related to the size of the lots and setbacks of the structures. Section 12-0508.3A (3) allows for a deviation if construction activities could be reasonably expected to impact trees used to meet the target to the extent that they would not likely survive in a healthy and structurally sound manner for 10-years after the development. The applicant revised their tree preservations plans to address concerns from the Urban Forester and depicts a conservative estimate of tree preservation based on potential limits of clearing and grading. The tree canopy requirements are detailed below in Table 3.

Table 3

Tree Preservation Target Calculations	
Gross Site Area in Square Feet (SF)	99,496 SF
Pre-Development Area of Existing Tree Canopy	74,689 SF
Percentage of Gross Site Area Covered by Existing Tree Canopy	75%
10-Year Canopy Requirement – 25%	24,874 SF
Total Tree Canopy Provided	29,034 SF
Target % of 10-Year Canopy Requirement Through Tree Preservation	75% (18,656 SF)
% of 10-Year Canopy Requirement Being Met Through Tree Preservation	36% (8,909 SF)

The proposed development exceeds the requirements for a 10-year tree canopy. The applicant has provided proffers that require the submission for a tree preservation plan, walk-through with the Urban Forestry Management Division, installation of tree preservation fencing, site monitoring by a professional arborist, and bonding of the trees. The proffers ensure that the applicant will preserve the trees depicted on the development plan. Staff supports the proposed deviation in favor of that shown on the CDP/FDP.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The proposed development falls under the Comprehensive Plan density. The proposed planned district is similar to other planned districts in the area in terms of lot size and open space. The applicant has provided for a layout that will buffer the adjacent development to the west with tree preservation. The applicant has provided for green building designs and will mitigate transportation noise. The applicant will be providing for road and pedestrian improvements along the frontage of the site. The applicant will exceed the requirements for stormwater detention quantity and quality. The applicant will document the historic structure and perform archeological surveys of the area. In staff's opinion, the applicant has adequately addressed the residential development criteria, general and design standards for a planned district.

Recommendations

Staff recommends approval of RZ 2010-PR-019 and the associated Conceptual Development Plan (CDP), subject to the execution of proffers consistent with those contained in Appendix 1 of the staff report.

Staff recommends approval of FDP 2010-PR-019, subject to the proposed Final Development Plan conditions contained in Appendix 2 of the staff report and the Board of Supervisors approval of RZ 2010-PR-019 and the associated Conceptual Development Plan.

Staff recommends approval of a deviation of the tree preservation target requirement in favor of that shown on the CDP/FDP.

Staff recommends approval of a waiver of the Section 11-302 (1) of the Zoning Ordinance requirement that private streets within a development shall be limited to those streets which are not required or designed to provide access to adjacent properties.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions, relieve the applicants/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards; and that, should this application be approved, such approval does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Proffers
2. Final Development Plan Conditions
3. Statements of Justification
4. Affidavit
5. Residential Development Criteria
6. Environmental Analysis
7. Urban Forest Management Analysis
8. Transportation Analysis
9. Park Authority Analysis
10. Public Schools Review
11. Stormwater Review
12. Water Service Review
13. Fire and Rescue Review
14. Sanitary Sewer Review
15. Heritage Resource Analysis
16. Applicable Zoning Ordinance Provisions
17. Glossary of Terms

PORTER AT SANDBURG STREET**RZ 2010-PR-019
KETTLER SANDBURG LLC
PROFFERS****June 20, 2012**

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950, as amended, the property owner who is the Applicant in this rezoning proffer that the development of the parcels under consideration and shown on the Fairfax County Tax Maps as Tax Map Reference – 39-4-((1))-46 and 47 (hereinafter referred to as the “Property”) shall be in accordance with the following conditions if, and only if, said rezoning request for the PDH-3 District is granted by the Board of Supervisors of Fairfax County, Virginia (the “Board”). In the event said application request is denied or the Board’s approval is overturned by a court of competent jurisdiction, these proffers shall be null and void. The Owners and the Applicant (“Applicant”), for themselves, their successors and assigns, agree that these proffers shall supersede any and all previously approved proffers or conditions and shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board, in accordance with applicable County and State statutory procedures. The proffered conditions are:

I. GENERAL

1. Substantial Conformance. Subject to the provisions of Articles 16 of the Zoning Ordinance, under which minor modifications to an approved development plan and proffers are permitted, the development shall be in substantial conformance with the Conceptual Development Plan/Final Development Plan (CDP/FDP) prepared by Urban, Ltd. dated September 28, 2010 and revised through June 20, 2012. It shall be understood

that the CDP shall be only those elements of the plans that depict the number and the general location of points of access, the amount and location of preserved open space and trees, peripheral setbacks, building restriction lines, limits of clearing and grading, building heights, the total number, type, uses and the general location of buildings and roads (the "CDP Elements"). The Applicant reserves the right to request a Final Development Plan Amendment ("FDPA") for elements other than the CDP elements for all or a portion of the FDP in accordance with Section 16-402 of the Zoning Ordinance, if such an amendment is in accordance with the approved CDP and these proffers.

2. Architecture. The architectural design of the dwellings shall be in substantial conformance with the bulk, mass, proportion and type and quality of materials and elevations shown on the illustrative examples attached as **Exhibit A**. The primary building material exclusive of trim shall be limited to brick, stone, cementitious siding, shingles or other similar masonry materials. Minor modifications may be made with the final architectural designs provided such modifications are in substantial conformance with the exhibits attached. Further all units shall incorporate a minimum of 50% (not including trim, gutter, etc.) stone or brick materials on all front and side facades and rear of Lots 3 and 6. Horizontal cementitious siding (Hardy Plank) or architecturally equivalent shall be used for the remainder. Raised panel shutters shall be used on all windows for the front, side and rear facades of all units. All façades facing a public street or the private street shall be architecturally finished in a substantially similar manner to the front façade for that unit.

3. Minor Modifications. Minor modifications from what is shown on the CDP/FDP and these Proffers, which may become occasioned as a part of final architectural and engineering design, may be permitted as determined by the Zoning

Administrator in accordance with the provisions set forth in Articles 16 and 18 of the Zoning Ordinance.

4. Lot Yield and Uses. The development shall consist of a maximum of six (6) single-family detached units.

5. Establishment of HOA. Prior to record plat approval, the Applicant shall establish a Homeowners Association (HOA) in accordance with Sect. 2-700 of the Zoning Ordinance for the purpose of, among other things, establishing the necessary residential covenants governing the use and operation of common open space and other facilities of the approved development and to provide a mechanism for ensuring the ability to complete the maintenance obligations and other provisions noted in these proffer conditions, including an estimated budget for such common maintenance items.

6. Dedication to HOA. At the time of record plat recordation, open space, common areas, private roadways, and amenities not otherwise conveyed or dedicated to the County shall be dedicated to the HOA and be maintained by the same.

7. Disclosure. Prior to entering into a contract of sale, prospective purchasers shall be notified in writing by the Applicants of the possible extension of the private road to serve as an interparcel access and of maintenance responsibility for the private roadways, stormwater management facilities, common area landscaping and any other open space amenities and shall acknowledge receipt of this information in writing. The initial deeds of conveyance and HOA governing documents shall expressly contain these disclosures and an estimated budget for such common maintenance items.

8. Escalation. All monetary contributions required by these proffers shall escalate on a yearly basis from the base year of 2012, and change effective each January 1 thereafter, based on the Consumer Price Index as published by the Bureau of Labor

Statistics, the U.S. Department of Labor for the Washington-Baltimore, MD-VA-DC-WV Consolidated Metropolitan Statistical Area (the "CPI), as permitted by Virginia State Code Section 15.2-2303.3.

9. Garage Conversion. Any conversion of garages or use of garages that precludes the parking of vehicles within the garage is prohibited. A covenant setting forth this restriction shall be recorded among the land records of Fairfax County in a form approved by the County Attorney prior to the sale of any lots and shall run to the benefit of the HOA and the Board of Supervisors. This restriction shall also be disclosed in the HOA documents. Prospective purchasers shall be advised of this use restriction, in writing, prior to entering into a contract of sale.

10. Length of Driveways. All driveways serving the residential single family units shall be a minimum of twenty feet (20') in length as measured outward from the face of the garage door to the edge of the sidewalk.

11. Decks and Similar Appurtenances. Decks, bay windows, patios, chimneys, areaways, stairs and stoops, mechanical equipment and other similar appurtenances may encroach into minimum yards as depicted on the "lot typical" as shown on the CDP/FDP and as permitted by Section 2-412 and Article 10 of the Zoning Ordinance. The restrictions and limitations of this proffer shall be disclosed to purchasers prior to contract ratification and further disclosed in the homeowners association documents. The HOA documents required above shall further stipulate that all decks be of a unified design subject to future modifications as determined by the HOA. In addition, all prospective purchasers shall be notified of the applicable County requirements as they pertain to matters of permitting and related construction requirements.

II. TRANSPORTATION

12. Right-of-Way Dedication along Elm Place, Sandburg Street, and Idylwood Road. At the time of subdivision plan approval, or upon demand by VDOT or Fairfax County, whichever occurs first, the Applicant shall dedicate, at no cost to Fairfax County and in fee simple and in a form acceptable to the County Attorney, the right-of-way along the site frontage of Elm Place (Route #974), Sandburg Street (Route #936), and Idylwood Road (Route #695) as shown on the CDP/FDP.

13. Frontage Improvements. The Applicant shall provide onsite frontage improvements in the location and configuration shown on the CDP/FDP along the south side of Elm Place, the west side of Sandburg Street, and the north side of Idylwood Road. The frontage improvements generally consist of half section widening on Elm Place of approximately 14-feet from existing centerline with curb and gutter and sidewalk (as shown on the CDP/FDP) along the site frontage, half section widening on Sandburg Street with curb and gutter and sidewalk (as shown on the CDP/FDP) along the site frontage which will establish Sandburg Street as approximately 42-feet wide from curb to curb, and improvements to the Sandburg/Idylwood intersection consisting of an increased radius with a \pm 65-foot taper to be constructed with curb and gutter and installation of the trail along Idylwood Road as shown on the CDP/FDP. The final configuration of such improvements shall be determined by final engineering and associated approvals. The Idylwood Road taper described above is in close proximity to existing utility poles. In no event shall the configuration of the taper require relocation of the existing utility poles. The Applicant shall construct the taper described above as close possible to the existing utility poles as permitted by VDOT without requiring their relocation.

The Sandburg Street and Idlywood Road improvements shall be completed prior to issuance of the first residential use permit (RUP) for Lots 1-4. The Elm Street improvements shall be completed prior to issuance of the first RUP for Lots 5 and 6. Further, upon demonstration by the Applicant that, despite diligent efforts by the Applicant, provision of a respective improvement has been unreasonably delayed by others, or by circumstances beyond the control of the Applicant, the Zoning Administrator may agree to a later date for the completion of each such improvement.

14. Private Street/Street Reservation. The internal private street shall be constructed as shown on the CDP/FDP consistent with public street standards in accordance with the Fairfax County Public Facilities Manual (PFM), subject to DPWES approval. However, in accordance with PFM 9.0202.J (1) and (6) the private street shall not be required to provide an emergency turn around. The Applicant shall install a sign at the terminus of the private street indicating the possibility of a future extension of the street. The sign and its language shall be in accordance with the appropriate plate in the PFM, subject to DPWES approval. In addition, at the time of site plan/subdivision plan approval, the Applicant shall reserve the right-of-way for public street purposes for an interparcel connection to the property line with Tax Map 39-4-((1))-48. Such reservation shall only be dedicated to Fairfax County in the event the property to the west (Tax Map 39-4 ((1)) 48) is rezoned or subdivided and the reservation area is needed to create a public street, as determined by FCDOT and VDOT in consultation with the Zoning Administrator at the time of rezoning approval or subdivision approval and such dedication of right-of-way shall be upon demand in fee simple and in a form acceptable to the County Attorney.

15. Public Access Easement. At the time of record plat recordation, the Applicant shall cause to be recorded among the land records a public access easement running to the benefit of Fairfax County, in a form acceptable to the County Attorney, over the private street as generally shown on the CDP/FDP.

16. Escrow for Interparcel Connection. As shown on the CDP/FDP, the proposed private street does not extend to the Property line. Prior to issuance of a RUP on the Property, the Applicant shall escrow with Fairfax County sufficient funds to extend the private street, constructed to public street standards, to the Property line adjacent to Tax Map 39-4 ((1)) 48. The amount, type and form of the surety shall be determined by DPWES Bonds and Agreement Branch and the Office of the County Attorney and shall be in accordance with the Fairfax County Bond and Price estimates in effect at the time of the escrow. In the event Tax Map 39-4 ((1)) 48 is rezoned without utilizing the interparcel connection, the escrow shall be used for transportation or pedestrian improvements in the vicinity of the project.

17. Future Interparcel Access. In the event the property to the west (Tax Maps 39-4 ((1)) 48) is rezoned with a private street interparcel access the Applicant (or successor HOA) shall grant all easements necessary for inter-parcel access to the properties to the west (Tax Maps 39-4 ((1)) 48), in addition to the public access easement above, subject to the following conditions:

- Except for the escrow described above, completion of construction of the connection on the Property shall be undertaken by the owner of the adjacent parcels at their sole expense; and
- As a condition of use, the owner of the adjacent parcels shall enter into an ongoing maintenance agreement to provide an equitable

pro-rata contribution to the Applicant (or successor HOA) for the maintenance of the private street based on published Institute of Transportation Engineers (ITE) trip generation rates for the proposed interparcel connection, as approved by FCDOT. As an alternative, either the Applicant (or successor HOA) may agree to annexation by the adjacent future common association provided that future common association assumes full maintenance responsibilities for the private street.

III. CONSTRUCTION

18. Construction Access and Hours. The staging and parking of construction vehicles shall occur on the Property, including personal vehicles utilized by construction workers. No parking shall occur on adjacent roadways. The hours of initial construction shall be posted in English and in Spanish and shall be limited to the hours between 7:00 a.m. and 9:00 p.m. Monday through Friday and 8:00 a.m. to 9:00 p.m. on Saturdays. No construction shall occur on Sundays or Federal Holidays. This shall be disclosed to all contractors and sub-contractors who perform work on the subject property during site construction.

19. Construction Management. Prior to the commencement of construction on the property, the Providence District Supervisor and the presidents or other representatives of the homeowners associations as requested by the Supervisor shall be provided with the name, title and phone number of a person to whom comments and/or complaints regarding construction activities may be directed. Such correspondence shall be sent by US Mail, return receipt requested and copies of the receipts and responses shall be made available to County Staff upon request. A sign with this information shall

be posted on-site prior to the commencement of construction and shall be updated and shall be retained on the site through all construction activities. A response to the comments/complaints made shall be provided within 3 business days of receipt. If the comment is of an emergency nature it shall be addressed within the next business day.

20. Erosion & Sedimentation Controls. To ensure off-site properties are not impacted by silt or associated run-off, the Applicant shall design and implement siltation control mechanisms that shall include “super silt” fencing or similar procedures as determined by DPWES. The functioning and integrity of all erosion and sedimentation controls (E&S controls) required by DPWES shall be inspected, by the Applicant or their designated representative, no later than the next business day following each storm event during the period of construction on-site. If the E&S controls have been damaged or breached, the E&S controls shall be repaired in accordance with the requirements of the Fairfax County Public Facilities Manual as determined by DPWES.

IV. ENVIRONMENTAL

21. Stormwater Management Facilities and Best Management Practices. The Applicant shall implement stormwater management techniques to control the quantity and quality of stormwater runoff from the Property in accordance with the Fairfax County Public Facilities Manual as reviewed and approved by DPWES. The stormwater management techniques may include but are not limited to the following: rain gardens, filtera systems, infiltration ditches, bay filters, storm tech chamber and drainage swales. Stormwater management facilities/Best Management Practices (“BMPs”) shall be provided as generally depicted on the CDP/FDP. Adequate outfall shall be demonstrated in accordance with the PFM as determined by DPWES.

All SWM and BMP facilities shall be properly maintained on the Property in a manner determined by DPWES. The requirements for maintaining the SWM facility shall be in a standard maintenance agreement between the County and the Applicant who is the land owner, its successor and assigns. This agreement shall be recorded in the County land records and run with the land. Should any deficiencies in the existing SWM or BMP facilities be identified by the Stormwater Management Maintenance Division during regular inspections, or when investigating a drainage complaint, then maintenance shall be performed in accordance with the recorded maintenance agreement. As noted on the CDP/FDP, the SWM facility is designed to detain a 25-year storm event in accordance with calculations shown on the CDP/FDP, which is in excess of the 10-year storm event required by the PFM.

22. BMP Maintenance. After establishing the HOA pursuant to these proffers, the Applicant shall provide the HOA with written materials describing proper maintenance of the approved BMPs in accordance with the PFM and County guidelines as well as provide an estimated budget for future maintenance.

23. Landscaping. At the time of site plan review, the Applicant shall submit to DPWES, a landscape plan showing landscaping consistent with the quality, quantity and general location shown on the Landscape Plan on the CDP/FDP. This plan shall be subject to review and approval of Urban Forestry Management, DPWES. At the time of planting, the minimum caliper for deciduous trees shall be two and one-half (2.5) inches to three (3) inches and the minimum height for evergreen trees shall be seven (7) feet. Actual types and species of vegetation shall be determined pursuant to more detailed landscape plans approved by Urban Forest Management at the time of site plan approval.

Maintenance responsibilities for the landscaping shall be disclosed in the homeowners' association documents.

24. Energy Conservation. At minimum, each new dwelling unit shall satisfy one of the following certifications: (A) Earth Craft. The new dwelling units shall be constructed to achieve certification in accordance with the EarthCraft House Program as demonstrated through documentation provided to DPWES and DPZ prior to the issuance of the RUP for each new home; or (B) ENERGY STAR Qualified Homes. The new dwelling units shall be constructed to achieve qualification in accordance with ENERGY STAR® for Homes. Such qualification will be demonstrated by the submission of documentation to the Environment and Development Review Branch of DPZ from a home energy rater certified through the Residential Energy Services Network (RESNET) program which shows that each dwelling unit has attained the ENERGY STAR® for Homes qualification prior to the issuance of the RUP for each dwelling.

25. Noise Mitigation for Lot 1. Lot 1 (the lot closest to Idylwood Road) shall be constructed using building materials, screening or fencing to ensure that a maximum interior noise level of approximately 45 dBA Ldn and a maximum rear yard noise level of 65 dBA Ldn shall be achieved. The Applicant may pursue other noise mitigation methods if it can be demonstrated pursuant to an independent noise study, subject to review and approval by DPWES in consultation with DPZ, that these alternative methods will be effective in reducing noise levels to a maximum interior noise level of approximately 45 dBA Ldn and a maximum rear yard noise level of 65 dBA Ldn.

V. TREE PRESERVATION

26. Tree Preservation Plan. The applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent submissions of the site plan review

process. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees to be preserved, as well as all on and off-site trees, living or dead with trunks 10 inches in diameter and greater (measured at 4 1/2 -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located in the area to be left undisturbed and within 25 feet of the limits of clearing and grading, and in the disturbed area and within 10 feet of the limits of clearing and grading. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the CDP/FDP and those additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in PFM 12-0506 and 12-0508. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, including but not limited to: crown pruning, root pruning along the limits of clearing (LOC), mulching, fertilization, installation of welded wire tree protection fencing and others as necessary, shall be included in the plan.

27. Tree Preservation Walk-Through. The Applicant shall retain the services of a certified arborist or registered consulting arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting as part of the tree preservation plan. During the tree preservation walk-through meeting which shall occur prior to the commencement of construction, the

Applicant's certified arborist or registered consulting arborist shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented.

Trees that are identified as dead or dying may be removed as part of the clearing operation as shown on the CDP/FDP as having died. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions

28. Limits of Clearing and Grading. The Applicant shall conform strictly to the limits of clearing and grading as shown on the CDP/FDP, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the CDP/FDP, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such utilities.

29. Tree Preservation Fencing. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot

steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" proffer below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.

30. Root Pruning. The Applicant shall root prune after the tree preservation walk-through, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the site plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted with the supervision of a certified arborist.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

31. Site Monitoring. During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by the UFMD. The Applicant shall retain the services of a certified arborist or registered consulting arborist to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFMD approvals. Written status reports detailing observations and stating conformance and/or violation regarding required protection and control measures shall be submitted to UFMD following monitoring visits. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.

32. Tree Appraisal. The Applicant shall retain a professional arborist with experience in plant appraisal, to determine the replacement value of all trees 8 inches in diameter or greater located on the Application Property that are shown to be saved on the Tree Preservation Plan. These trees and their value shall be identified on the Tree Preservation Plan at the time of the first submission of the respective site plan(s). The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the so-called "Trunk Formula Method" contained in the latest

edition of the Guide for Plan Appraisal published by the International Society of Arboriculture, subject to review and approval by UFMD.

At the time of the respective site plan approvals, the Applicant shall post a cash bond or a letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the trees for which a tree value has been determined in accordance with the paragraph above (the "Bonded Trees") that die or are dying due to unauthorized construction activities. The letter of credit or cash deposit shall be equal to 50% of the replacement value of the Bonded Trees. At any time prior to final bond release for the improvements on the Application Property constructed adjacent to the respective tree save areas, should any Bonded Trees die, be removed, or are determined to be dying by UFMD due to unauthorized construction activities, the Applicant shall replace such trees at its expense. The replacement trees shall be of equivalent size, species and/or canopy cover as approved by UFMD. In addition to this replacement obligation, the Applicant shall also make a payment equal to the value of any Bonded Tree that is dead or dying or improperly removed due to unauthorized construction activity. This payment shall be determined based on the Trunk Formula Method and paid to a fund established by the County for furtherance of tree preservation objectives. Upon release of the bond for the improvements on the Application Property constructed adjacent to the respective tree save areas, any amount remaining in the tree bonds required by this proffer shall be returned/released to the Applicant.

VI. RECREATION AND CULTURAL

33. On-Site Park Authority Contributions: The Applicant shall contribute \$1,700 per dwelling unit upon issuance of a RUP to the Fairfax County Board of Supervisors to provide recreational facilities to serve the Property. The Applicant shall receive credit

against such contribution for the cost of on-site recreational facilities, as approved by DPWES, which may include, but not be limited to the cost of improvements for outdoor seating areas, pedestrian trails (except those shown on the Comprehensive Plan), gazebos, plazas and other similar facilities.

34. Off-Site Park Authority Contributions: In addition the Applicant shall contribute \$2,232.50 per dwelling unit upon issuance of the building permit for each unit to the Fairfax County Board of Supervisors for transfer to Fairfax County Park Authority for use at South Railroad Street Park or other off-site recreational facilities intended to serve the future residents, as determined by FCPA in consultation with the Supervisor for the Providence District.

35. Photographic Documentation of the Existing Property. Prior to any land disturbing activities on the Property, the Applicant shall photographically document the interior and exterior of the existing structures, including but not limited to documentation of landscape features, a sketch plan of the site showing existing features and structures, interior floorplans, and plan showing the number and angle of photographic views. Prior to initiation of such documentation, the Applicant's consultant shall meet with the Department of Planning Zoning (DPZ) historic preservation planner to finalize the appropriate specific methodology for such documentation and such approved methodology shall be utilized by the consultant. At minimum such methodology shall include views of each façade, perspective views, exterior detail views (such as the main entrance, stairs, porches, and other character defining features), interior detail views (such as moldings, newel posts, stairways and other character defining features) and general streetscape views. Any photographs or other documentation shall be contributed to DPZ and directly to the Virginia Room of the Fairfax County Public Library for

curation, with the intent that such photographs will be available for exhibit in the Dunn Loring area or the Virginia Room of the Fairfax County Public Library. The Applicant shall provide written documentation to DPZ that the required documentation has been submitted to the Virginia Room.

36. Archaeological Survey. Prior to any land disturbing activities on the Property, the Applicant shall conduct a Phase I and/or Phase II Archeological Survey, if determined appropriate by Cultural Resource Management and Protection Section of the Fairfax County Park Authority (CRMP) archaeological investigation of the site to identify and evaluate archaeological resources that are known and predicted to be present on the property. Prior to initiation of such study, the Applicant's consultant shall meet with CRMP to determine the methodology to be used in the study. Such methodology as approved by CRMP, shall be utilized by the consultant. A minimum of one month prior to commencement of the field work portion of the study, CRMP shall be notified, and CRMP staff shall be permitted to make field visits to observe the work in progress. Upon completion of field work, a field meeting shall be held with CRMP on-site to review the findings and for CRMP to make recommendation for future study if necessary.

If significant archaeological resources are discovered, as determined by CRMP, CRMP shall notify Applicant, in writing within thirty (30) days of the on-site meeting to undertake a Phase III data recovery. A research design for the Phase III prepared in consultation with CRMP, including appropriate methodology, shall be utilized. Upon completion of the study, an archaeological technical report shall be prepared per the Virginia State and Federal guidelines. Any artifacts, photographs, field notes, or other documentation shall be contributed to CRMP for curation, with the intent that such artifacts will be available for exhibit in the Dunn Loring area.

VII. OTHER

37. Temporary Signage. No temporary signs (including “popsicle” style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off-site by the Applicant or at the Applicant’s direction to assist in the initial marketing and sale of homes on the subject Property. Furthermore, the Applicant shall direct its agents and employees involved in marketing and/or sale of residential units on the subject Property to adhere to this proffer.

38. School Contribution. A contribution of \$4,689 per dwelling unit shall be made to the Board of Supervisors for transfer to FCPS and designated for capital improvements for schools serving the subject property. The contribution shall be made at the time of, or prior to, issuance of the Building Permit for each unit. The contribution shall be directed toward projects within the Marshall High School Pyramid and/or Cluster II.

39. Affordable Dwelling Units. Prior to the issuance of the first Building Permit, the Applicant shall contribute to the Fairfax County Housing Trust Fund the sum equal to one half of one percent (1/2 %) of the sales price of all the units approved on the property. The one half of one percent (1/2 %) contribution shall be based on the aggregate sales price of all of the units subject to the contribution, as if those units were sold at the time of the issuance of the first Building Permit. The projected sales price shall be determined by the Applicant through an evaluation of the sales prices of comparable units in the area, in consultation with the Fairfax County Department of Housing and Community Development (HCD) and DPWES.

40. Universal Design. At the time of initial purchase, the following Universal Design options shall be offered to each purchaser at no additional cost: clear knee space under sink in kitchen, lever door handles instead of knobs, light switches 44"-48" high, thermostats a maximum of 48" high, and/or electrical outlets a minimum of 18" high. At the time of initial purchase, additional Universal Design options shall be offered to each purchaser at the purchaser's sole cost. These additional options may include, but not be limited to, one no-step pathway into the house, 36-inch-wide doorways and/or zero-threshold doorways.

41. Successors and Assigns. Each reference to "Applicant" in this Proffer Statement shall include within its meaning, and shall be binding upon, Applicant's successor(s) in interest, assigns, and/or developer(s) of the Property or any portion of the Property.

Kettler Sandburg LLC

(Contract Purchaser of Tax Map No. 39-4-((1))-46,47

By: _____
Name: Robert C. Kettler
Title: Manager

Susan H. Porter

(Owner of Tax Map No. 39-4-((1))-46 and 47)

Mara Miles

(Title Owner of Tax Map Nos. 39-4-((1))-46, 47)

Daniel M. Porter

(Owner of Tax Map Nos. 39-4-((1))-46 and 47)

\32923653.12

EXHIBIT A









\\32923653.13

PROPOSED DEVELOPMENT CONDITIONS

FDP 2010-PR-019

June 28, 2012

If it is the intent of the Planning Commission to approve FDP 2010-PR-019 located at Tax Map 39-4 ((1)) 46 and 47, to permit a residential development consisting of six single-family detached dwelling units, then staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions:

1. Development of the property shall be in substantial conformance with the CDP/FDP entitled "Porter at Sandburg Street" consisting of 12 sheets prepared by Urban, Ltd., dated September 28, 2010 as revised through June 20, 2012

The proposed conditions are staff recommendations and do not reflect the position of the Planning Commission unless and until adopted by that Commission.

NARRATIVE STATEMENT OF JUSTIFICATION
for

Porter at Sandburg Street

Rezoning Application

Tax Map # 39-4-((1))-46, 47

Revised - June 6, 2012

Revisions

Based on community and staff feedback the applicant has made a number of revisions to the proposal, most notably reducing the density and changing the proposed zoning from 8 dwelling units in a PDH-4 zoning district to 6 dwelling units in a PDH-3 zoning district. This reduction in density to 2.63 dwelling unit per acre is significantly below the recommended Comprehensive Plan range of 3 - 4 dwelling units per acre.

Further, this density reduction and site redesign creates a project that better responds to the fabric of the community, increases tree save areas, increases average lot size (over 10,000 square feet) and enhances stormwater management, especially compared to a conventional "R" District design. The following statement of justification has been revised to reflect the above-described revisions associated with the change to the PDH-3 zoning district.

Introduction and Overview

This application is a strategic consolidation of two-oversized parcels to allow development of 6 high quality single-family detached homes, significant below even the low end of the recommendations of the Comprehensive Plan and consistent with existing development pattern of the community. This application is filed on behalf of Kettler Sandburg, LLC ("Kettler") and requests to rezone approximately 2.28 acres of property (the "Property") from the R-1 zoning district to the PDH-3 zoning district.

Proposal

The site is comprised of two parcels with an existing single-family home which will be demolished as part of this application. This property has not redeveloped even though similar sized parcels in the area have redeveloped over the past decade. This proposal will be in character with the existing development pattern in the area. The site has several mature trees and the proposed layout is intended to preserve many of these significant trees as well as honor the existing topography where practicable.

Compliance with Comprehensive Plan

The Property is in the Cedar Community Planning Sector (V2). The Property is planned for residential development between 3-4 dwelling units per acre, including a recommendation for substantial consolidation of adjacent parcels. This application is a

logical consolidation of two parcels that will allow adjacent parcels to redevelop consistent with the Comprehensive Plan. And given that the proposed density is now below the Comprehensive Plan range and the future interparcel connection is retained, consolidation is not a critical issue. Further the proposed open space buffer will create a logical buffer for the existing homes and establish a pattern if those adjacent homes redevelop to expand such an open space. This layout is also consistent in scale with many redevelopments in the area including along Jawed Place to the west and Idylwood Crest to the east.

Compliance with Residential Development Criteria

For the reasons stated below, the subject rezoning fully complies with the applicable Residential Development Criteria contained in Appendix 9 of the Land Use Element of the Policy Plan. Specific compliance with the Criteria is as follows:

I. Site Design.

As shown on the Conceptual/Final Development Plan (CDP/FDP), high quality site design is proposed to maximize the potential tree save area, honor existing topography to the extent practicable and create a logical lot layout. Features of the development include an efficient layout and a unit type that will enhance the fabric of the community.

The result is superior to a comparable conventional "R" District layout by creating an interparcel connection, putting the specimen trees identified by the Urban Forester in common tree save area rather than an individual home owners lot, and allow for innovative stormwater management techniques, which could not be accommodated by a conventional "R" District design.

For example, on stormwater, the Applicant is proposing a stormwater facility that will accommodate a 25-year storm event, compared to the 10-year storm event that is required by the PFM. The net result is 35% reduction in stormwater flow from the site the during a 25-year storm event, and 46% reduction in stormwater flow from the site during a 10-year storm event. And our stormwater calculations treated the site as "greenfield," ignoring the existing architecturally impervious area associated with the existing home, so the actual flow will be reduced further.

(A) Layout. The proposed layout provides fronts of units along Elm Place and a combination of fronts and sides of units along Sandburg Street (and such sides will be finished architecturally as fronts). This layout creates an attractive and pedestrian-friendly street presence which will be enhanced by sidewalks and frontage improvements along Sandburg Street. A conservation easement provides substantial buffering to the neighboring residences while preserving existing vegetation.

(B) Open Space. The site will have more than 26% open space, significantly above the minimum requirement of 20%. This open space has been put to effective use by 1) creating a common area for preservation of specimen trees; 2) utilizing the natural

topography to minimize clearing and grading and 3) providing a buffer the existing homes to the west.

(C) Landscaping. Because of the preservation of the significant area of open space, little additional landscaping is needed to buffer the site from the existing properties to the west. High quality and attractive landscaping will be used on each of the lots to enhance the presentation to Sandburg Street.

(D) Amenities. In addition to the extensive open space and tree save, Kettler will commit to sidewalk improvements along Sandburg Street and Elm Place. In addition, the applicant will extend the trail along Idylwood Road frontage.

II. Neighborhood Context.

The predominant context of the surrounding developments is characterized by single-family homes, with a mix of redeveloped communities and ageing oversized lots. Across Sandburg Street, is the Idlywood Crest community which was rezoned to PDH-4 in 1998. The Idylwood Crest lots are less uniform and do not achieve the significant open space preservation consistent with this application. In the context of this Property, this use is clearly consistent with the "fabric" of the existing community.

III. Environment.

The proposed lot layout is designed to create limits of clearing and grading that take into consideration the existing mature trees on the site and utilize the topography in stormwater management. As discussed above, to address the volume and velocity of stormwater runoff from the proposed development, the applicant utilizes innovative stormchamber system in the area shown on the plan. This results in a significant improvement in both water quality and quantity as the site predates modern stormwater management techniques.

IV. Tree Preservation and Tree Cover Requirements. The tree cover is being preserved to the extent possible along the periphery of the Property and in the significant open space. In addition the specimen trees identified by the Urban Forester have been preserved.

V. Transportation. The traffic to be generated by this proposal will be minimal. It will not trigger the requirement for a Chapter 527 Traffic Impact Analysis study. All lots will front on minor streets. The applicant will be making frontage improvements to Sandburg Street to bring it up to modern street standards.

VI. Public Facilities.

Through proffers, Kettler will commit to addressing impacts on public schools in accordance with the criteria and methodology adopted by the Board of Supervisors.

VII. Affordable Housing.

Through proffers, Kettler will provide the appropriate monetary contribution in accordance with the formula adopted by the Board of Supervisors.

Conclusion

The proposed development is consistent with the current Comprehensive Plan recommendations and shall comply with all ordinances, regulations and adopted standards of Fairfax County. For all of the aforementioned reasons, the applicant respectfully requests the Staff and Planning Commission to endorse, and the Board of Supervisors to approve this rezoning request.

Respectfully submitted by



David R. Gill
McGuireWoods LLP
Agent for Applicant

\\18046100.5

REZONING AFFIDAVIT

DATE: JUN 6 2012
(enter date affidavit is notarized)

I, David R. Gill, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) ☐ applicant
☒ applicant's authorized agent listed in Par. 1(a) below

1106626

in Application No.(s): RZ/FDP 2010-PR-019
(enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

- 1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE**,** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Kettler Sandburg LLC Agent: Charles J. Kieler Robert C. Kettler	1751 Pinnacle Drive, Suite 700 McLean, VA 22102	Applicant/Contract Purchaser of Tax Map No. 39-4 ((1)) 46, 47
Susan H. Porter Mara (nmi) Miles Daniel M. Porter	P.O. Box 1412 Silver City, NM 88062	Title Owner of Tax Map No. 39-4 ((1)) 46, 47
Urban Engineering & Associates, Inc., t/a Urban, Ltd. Agent: Robert W. Brown	4200-D Technology Court Chantilly, VA 20151	Engineer/Agent

(check if applicable) ☒ There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Rezoning Attachment to Par. 1(a)

DATE: JUN 6 2012
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number (s))

1106626

(NOTE): All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
McGuireWoods LLP Agents: Scott E. Adams Carson Lee Fifer, Jr. David R. Gill Jonathan P. Rak Gregory A. Riegler Mark M. Viani Kenneth W. Wire Sheri L. Akin Lisa M. Chiblow Lori R. Greenlief	1750 Tysons Boulevard, Suite 1800 Tysons Corner, VA 22102	Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent Planner/Agent

(check if applicable)

☐ There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

REZONING AFFIDAVIT

DATE: JUN 6 2012
(enter date affidavit is notarized)

1106028

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Kettler Sandburg LLC
1751 Pinnacle Drive, Suite 700
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

Robert C. Kettler, Member/Manager
Kettler Family Investments LLC, Member

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. **President, Vice President, Secretary, Treasurer, etc.**)

Kettler Inc., Manager (former)

(check if applicable) ☒ There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(b)

JUN 6 2012

DATE: _____
(enter date affidavit is notarized)

1106628

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Urban Engineering & Associates, Inc., t/a Urban, Ltd.
4200-D Technology Court
Chantilly, VA 20151

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

J. Edgar Sears, Jr.
Brian A. Sears

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Kettler Family Investments LLC
1751 Pinnacle Drive, Suite 700
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Robert C. Kettler

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) ☒ There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

Rezoning Attachment to Par. 1(b)

JUN 6 2012

DATE: _____
(enter date affidavit is notarized)

1106626

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Kettler Inc.
1751 Pinnacle Drive, Suite 700
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

Robert C. Kettler
Richard W. Hausler

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

REZONING AFFIDAVIT

DATE: JUN 6 2012
(enter date affidavit is notarized)

1106626

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, VA 22102

(check if applicable) ☒ The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

Equity Partners of McGuireWoods LLP

Adams, John D.	Beil, Marshall H.	Burk, Eric L.
Alphonso, Gordon R.	Belcher, Dennis I.	Busch, Stephen D.
Anderson, Arthur E., II	Bell, Craig D.	Cabaniss, Thomas E.
Anderson, Mark E.	Beresford, Richard A.	Cacheris, Kimberly Q.
Andre-Dumont, Hubert	Bilik, R. E.	Cairns, Scott S.
Bagley, Terrence M.	Blank, Jonathan T.	Capwell, Jeffrey R.
Barger, Brian D.	Boland, J. W.	Cason, Alan C.
Barnum, John W.	Brenner, Irving M.	Chaffin, Rebecca S.
Becker, Scott L.	Brooks, Edwin E.	Cobb, John H.
Becket, Thomas L.	Brose, R. C.	Cogbill, John V., III

(check if applicable) ☒ There is more partnership information and Par. 1(c) is continued on a "Rezoning Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(c)DATE: JUN 6 2012
(enter date affidavit is notarized)

1106620

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, VA 22102(check if applicable) ☒ The above-listed partnership has no limited partners.**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)Covington, Peter J.
Cramer, Robert W.
Cromwell, Richard J.
Culbertson, Craig R.
Cullen, Richard (nmi)
Cutler, Christopher M.
Daglio, Michael R.
De Ridder, Patrick A.
Dickerman, Dorothea W.
DiMattia, Michael J.
Dooley, Kathleen H.
Downing, Scott P.
Edwards, Elizabeth F.
Ensing, Donald A.
Ey, Douglas W., Jr.
Farrell, Thomas M.
Feller, Howard (nmi)
Fennebresque, John C.
Foley, Douglas M.
Fox, Charles D., IV
France, Bonnie M.
Franklin, Ronald G.
Fratkin, Bryan A.
Freedlander, Mark E.
Freeman, Jeremy D.
Fuhr, Joy C.
Gambill, Michael A.Gibson, Donald J., Jr.
Glassman, Margaret M.
Glickson, Scott L.
Gold, Stephen (nmi)
Goldstein, Phillip (nmi)
Grant, Richard S.
Greenberg, Richard T.
Grieb, John T.
Harmon, Jonathan P.
Harmon, T. C.
Hartsell, David L.
Hatcher, J. K.
Hayden, Patrick L.
Hayes, Dion W.
Heberton, George H.
Hedrick, James T., Jr.
Horne, Patrick T.
Hosmer, Patricia F.
Hutson, Benne C.
Isaf, Fred T.
Jackson, J. B.
Jarashow, Richard L.
Jordan, Hilary P.
Kanazawa, Sidney K.
Kannensohn, Kimberly J.
Katsantonis, Joanne (nmi)
Kerr, James Y., IIKilpatrick, Gregory R.
King, Donald E.
King, Sally D.
Kittrell, Steven D.
Kobayashi, Naho (nmi)
Kratz, Timothy H.
Krueger, Kurt J.
Kutrow, Bradley R.
La Fratta, Mark J.
Lias-Booker, Ava E.
Lieberman, Richard E.
Little, Nancy R.
Long, William M.
Manning, Amy B.
Marianes, William B.
Marks, Robert G.
Marshall, Gary S.
Marshall, Harrison L., Jr.
Marsico, Leonard J.
Martin, Cecil E., III
Martin, George K.
Martinez, Peter W.
Mason, Richard J.
Mathews, Eugene E., III
Mayberry, William C.
McCallum, Steven C.
McDonald, John G.(check if applicable) ☒ There is more partnership information and Par. 1(c) is continued further on a
"Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

DATE: JUN 6 2012
(enter date affidavit is notarized)

1106626

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, VA 22102

(check if applicable) ☒ The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

McElligott, James P.
McFarland, Robert W.
McIntyre, Charles W.
McLean, J. D.
McRill, Emery B.
Moldovan, Victor L.
Muckenfuss, Robert A.
Muir, Arthur B.
Murphy, Sean F.
Natarajan, Rajsekhar (nmi)
Neale, James F.
Nesbit, Christopher S.
Nickens, Jacks C.
O'Grady, Clive R.
O'Grady, John B.
O'Hare, James P.
Oakey, David N.
Oostdyk, Scott C.
Padgett, John D.
Parker, Brian K.
Phears, H. W.
Phillips, Michael R.
Plotkin, Robert S.
Pryor, Robert H.
Pusateri, David P.
Rak, Jonathan P.

Rakison, Robert B.
Reid, Joseph K., III
Richardson, David L.
Riegle, Gregory A.
Riley, James B., Jr.
Riopelle, Brian C.
Roberts, Manley W.
Robinson, Stephen W.
Rogers, Marvin L.
Rohman, Thomas P.
Rosen, Gregg M.
Rust, Dana L.
Satterwhite, Rodney A.
Scheurer, P. C.
Schewel, Michael J.
Schill, Gilbert E., Jr.
Schmidt, Gordon W.
Sellers, Jane W.
Shelley, Patrick M.
Simmons, L. D., II
Simmons, Robert W.
Skinner, Halcyon E.
Slone, Daniel K.
Spahn, Thomas E.
Spitz, Joel H.
Stallings, Thomas J.

Steen, Bruce M.
Stein, Marta A.
Stone, Jacquelyn E.
Swan, David I.
Tackley, Michael O.
Tarry, Samuel L., Jr.
Thornhill, James A.
Van der Mersch, Xavier G.
Vaughn, Scott P.
Vick, Howard C., Jr.
Viola, Richard W.
Wade, H. L., Jr.
Walker, John T., IV
Walker, W. K., Jr.
Walsh, James H.
Watts, Stephen H., II
Westwood, Scott E.
Whelpley, David B., Jr.
White, H. R., III
White, Walter H., Jr.
Wilburn, John D.
Williams, Steven R.
Wren, Elizabeth G.
Young, Kevin J.

(check if applicable) ☒ There is more partnership information and Par. 1(c) is continued further on a
"Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

DATE: JUN 6 2012
(enter date affidavit is notarized)

1106626

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, VA 22102

(check if applicable) ☒ The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

(Former Equity Partner List)

Barr, John S.
Brown, Thomas C., Jr.
Buchan, Jonathan E.
de Cannart d'Hamale, Emmanuel
Dorman, Keith A.
Keenan, Mark L.
Kennedy, Wade M.
Pankey, David H.
Potts, William F., Jr.
Werlin, Leslie M.
Wilson, James M.
Younger, W. C.

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued further on a
"Rezoning Attachment to Par. 1(c)" form.

REZONING AFFIDAVIT

DATE: JUN 6 2012
(enter date affidavit is notarized)

1106628

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

☒ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: JUN 6 2012
(enter date affidavit is notarized)

1106620

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

NONE

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

☐ Applicant

☒ Applicant's Authorized Agent

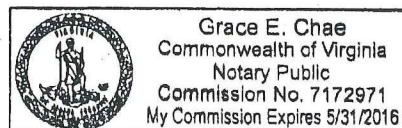
David R. Gill, Esquire

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 6th day of June 20 12, in the State/Comm. of Virginia, County/City of Fairfax.

Grace E. Chae
Notary Public

My commission expires: 5/31/2016



RESIDENTIAL DEVELOPMENT CRITERIA

Fairfax County expects new residential development to enhance the community by: fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on other public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing and, being responsive to the unique site specific considerations of the property. To that end, the following criteria are to be used in evaluating zoning requests for new residential development. The resolution of issues identified during the evaluation of a specific development proposal is critical if the proposal is to receive favorable consideration.

Where the Plan recommends a possible increase in density above the existing zoning of the property, achievement of the requested density will be based, in substantial part, on whether development related issues are satisfactorily addressed as determined by application of these development criteria. Most, if not all, of the criteria will be applicable in every application; however, due to the differing nature of specific development proposals and their impacts, the development criteria need not be equally weighted. If there are extraordinary circumstances, a single criterion or several criteria may be overriding in evaluating the merits of a particular proposal. Use of these criteria as an evaluation tool is not intended to be limiting in regard to review of the application with respect to other guidance found in the Plan or other aspects that the applicant incorporates into the development proposal. Applicants are encouraged to submit the best possible development proposals. In applying the Residential Development Criteria to specific projects and in determining whether a criterion has been satisfied, factors such as the following may be considered:

- the size of the project
- site specific issues that affect the applicant's ability to address in a meaningful way relevant development issues
- whether the proposal is advancing the guidance found in the area plans or other planning and policy goals (e.g. revitalization).

When there has been an identified need or problem, credit toward satisfying the criteria will be awarded based upon whether proposed commitments by the applicant will significantly advance problem resolution. In all cases, the responsibility for demonstrating satisfaction of the criteria rests with the applicant.

1. Site Design:

All rezoning applications for residential development should be characterized by high quality site design. Rezoning proposals for residential development, regardless of the proposed density, will be evaluated based upon the following principles, although not all of the principles may be applicable for all developments.

- a) *Consolidation:* Developments should provide parcel consolidation in conformance with any site specific text and applicable policy recommendations of the Comprehensive Plan. Should the Plan text not specifically address consolidation, the nature and extent of any proposed parcel consolidation should further the integration of the development with adjacent parcels. In any event, the proposed consolidation should not preclude nearby properties from developing as recommended by the Plan.

b) *Layout*: The layout should:

- provide logical, functional and appropriate relationships among the various parts (e. g. dwelling units, yards, streets, open space, stormwater management facilities, existing vegetation, noise mitigation measures, sidewalks and fences);
- provide dwelling units that are oriented appropriately to adjacent streets and homes;
- include usable yard areas within the individual lots that accommodate the future construction of decks, sunrooms, porches, and/or accessory structures in the layout of the lots, and that provide space for landscaping to thrive and for maintenance activities;
- provide logical and appropriate relationships among the proposed lots including the relationships of yards, the orientation of the dwelling units, and the use of pipestem lots;
- provide convenient access to transit facilities;
- Identify all existing utilities and make every effort to identify all proposed utilities and stormwater management outfall areas; encourage utility collocation where feasible.

c) *Open Space*: Developments should provide usable, accessible, and well-integrated open space. This principle is applicable to all projects where open space is required by the Zoning Ordinance and should be considered, where appropriate, in other circumstances.

d) *Landscaping*: Developments should provide appropriate landscaping: for example, in parking lots, in open space areas, along streets, in and around stormwater management facilities, and on individual lots.

e) *Amenities*: Developments should provide amenities such as benches, gazebos, recreational amenities, play areas for children, walls and fences, special paving treatments, street furniture, and lighting.

2. **Neighborhood Context:**

All rezoning applications for residential development, regardless of the proposed density, should be designed to fit into the community within which the development is to be located. Developments should fit into the fabric of their adjacent neighborhoods, as evidenced by an evaluation of:

- transitions to abutting and adjacent uses;
- lot sizes, particularly along the periphery;
- bulk/mass of the proposed dwelling units;
- setbacks (front, side and rear);
- orientation of the proposed dwelling units to adjacent streets and homes;
- architectural elevations and materials;
- pedestrian, bicycle and vehicular connections to off-site trails, roadways, transit facilities and land uses;
- existing topography and vegetative cover and proposed changes to them as a result of clearing and grading.

It is not expected that developments will be identical to their neighbors, but that the development fit into the fabric of the community. In evaluating this criterion, the

individual circumstances of the property will be considered: such as, the nature of existing and planned development surrounding and/or adjacent to the property; whether the property provides a transition between different uses or densities; whether access to an infill development is through an existing neighborhood; or, whether the property is within an area that is planned for redevelopment.

3. Environment:

All rezoning applications for residential development should respect the environment. Rezoning proposals for residential development, regardless of the proposed density, should be consistent with the policies and objectives of the environmental element of the Policy Plan, and will also be evaluated on the following principles, where applicable.

- a) *Preservation:* Developments should conserve natural environmental resources by protecting, enhancing, and/or restoring the habitat value and pollution reduction potential of floodplains, stream valleys, EQCs, RPAs, woodlands, wetlands and other environmentally sensitive areas.
- b) *Slopes and Soils:* The design of developments should take existing topographic conditions and soil characteristics into consideration.
- c) *Water Quality:* Developments should minimize off-site impacts on water quality by commitments to state of the art best management practices for stormwater management and better site design and low impact development (LID) techniques.
- d) *Drainage:* The volume and velocity of stormwater runoff from new development should be managed in order to avoid impacts on downstream properties. Where drainage is a particular concern, the applicant should demonstrate that off-site drainage impacts will be mitigated and that stormwater management facilities are designed and sized appropriately. Adequate drainage outfall should be verified, and the location of drainage outfall (onsite or offsite) should be shown on development plans.
- e) *Noise:* Developments should protect future and current residents and others from the adverse impacts of transportation generated noise.
- f) *Lighting:* Developments should commit to exterior lighting fixtures that minimize neighborhood glare and impacts to the night sky.
- g) *Energy:* Developments should use site design techniques such as solar orientation and landscaping to achieve energy savings, and should be designed to encourage and facilitate walking and bicycling. Energy efficiency measures should be incorporated into building design and construction.

4. Tree Preservation and Tree Cover Requirements:

All rezoning applications for residential development, regardless of the proposed density, should be designed to take advantage of the existing quality tree cover. If quality tree cover exists on site as determined by the County, it is highly desirable that developments meet most or all of their tree cover requirement by preserving and,

where feasible and appropriate, transplanting existing trees. Tree cover in excess of ordinance requirements is highly desirable. Proposed utilities, including stormwater management and outfall facilities and sanitary sewer lines, should be located to avoid conflicts with tree preservation and planting areas. Air quality-sensitive tree preservation and planting efforts (see Objective 1, Policy c in the Environment section of this document) are also encouraged.

5. Transportation:

All rezoning applications for residential development should implement measures to address planned transportation improvements. Applicants should offset their impacts to the transportation network. Accepted techniques should be utilized for analysis of the development's impact on the network. Residential development considered under these criteria will range widely in density and, therefore, will result in differing impacts to the transportation network. Some criteria will have universal applicability while others will apply only under specific circumstances. Regardless of the proposed density, applications will be evaluated based upon the following principles, although not all of the principles may be applicable.

- a) *Transportation Improvements:* Residential development should provide safe and adequate access to the road network, maintain the ability of local streets to safely accommodate traffic, and offset the impact of additional traffic through commitments to the following:
 - Capacity enhancements to nearby arterial and collector streets;
 - Street design features that improve safety and mobility for non-motorized forms of transportation;
 - Signals and other traffic control measures;
 - Development phasing to coincide with identified transportation improvements;
 - Right-of-way dedication;
 - Construction of other improvements beyond ordinance requirements;
 - Monetary contributions for improvements in the vicinity of the development.
- b) *Transit/Transportation Management:* Mass transit usage and other transportation measures to reduce vehicular trips should be encouraged by:
 - Provision of bus shelters;
 - Implementation and/or participation in a shuttle bus service;
 - Participation in programs designed to reduce vehicular trips;
 - Incorporation of transit facilities within the development and integration of transit with adjacent areas;
 - Provision of trails and facilities that increase safety and mobility for non-motorized travel.
- c) *Interconnection of the Street Network:* Vehicular connections between neighborhoods should be provided, as follows:
 - Local streets within the development should be connected with adjacent local streets to improve neighborhood circulation;
 - When appropriate, existing stub streets should be connected to adjoining parcels. If street connections are dedicated but not constructed with development, they should be identified with signage that indicates the street is to be extended;

- Streets should be designed and constructed to accommodate safe and convenient usage by buses and non-motorized forms of transportation;
 - Traffic calming measures should be implemented where needed to discourage cut-through traffic, increase safety and reduce vehicular speed;
 - The number and length of long, single-ended roadways should be minimized;
 - Sufficient access for public safety vehicles should be ensured.
- d) *Streets*: Public streets are preferred. If private streets are proposed in single family detached developments, the applicant shall demonstrate the benefits for such streets. Applicants should make appropriate design and construction commitments for all private streets so as to minimize maintenance costs which may accrue to future property owners. Furthermore, convenience and safety issues such as parking on private streets should be considered during the review process.
- e) *Non-motorized Facilities*: Non-motorized facilities, such as those listed below, should be provided:
- Connections to transit facilities;
 - Connections between adjoining neighborhoods;
 - Connections to existing non-motorized facilities;
 - Connections to off-site retail/commercial uses, public/community facilities, and natural and recreational areas;
 - An internal non-motorized facility network with pedestrian and natural amenities, particularly those included in the Comprehensive Plan;
 - Offsite non-motorized facilities, particularly those included in the Comprehensive Plan;
 - Driveways to residences should be of adequate length to accommodate passenger vehicles without blocking walkways;
 - Construction of non-motorized facilities on both sides of the street is preferred. If construction on a single side of the street is proposed, the applicant shall demonstrate the public benefit of a limited facility.
- f) *Alternative Street Designs*: Under specific design conditions for individual sites or where existing features such as trees, topography, etc. are important elements, modifications to the public street standards may be considered.

6. **Public Facilities:**

Residential development impacts public facility systems (i.e., schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities). These impacts will be identified and evaluated during the development review process. For schools, a methodology approved by the Board of Supervisors, after input and recommendation by the School Board, will be used as a guideline for determining the impact of additional students generated by the new development.

Given the variety of public facility needs throughout the County, on a case-by-case basis, public facility needs will be evaluated so that local concerns may be addressed.

All rezoning applications for residential development are expected to offset their public facility impact and to first address public facility needs in the vicinity of the proposed development. Impact offset may be accomplished through the dedication of land suitable for the construction of an identified public facility need, the construction of public facilities, the contribution of specified in-kind goods, services or cash earmarked

for those uses, and/or monetary contributions to be used toward funding capital improvement projects. Selection of the appropriate offset mechanism should maximize the public benefit of the contribution.

Furthermore, phasing of development may be required to ensure mitigation of impacts.

7. Affordable Housing:

Ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of the County. Part 8 of Article 2 of the Zoning Ordinance requires the provision of Affordable Dwelling Units (ADUs) in certain circumstances. Criterion #7 is applicable to all rezoning applications and/or portions thereof that are not required to provide any Affordable Dwelling Units, regardless of the planned density range for the site.

- a) *Dedication of Units or Land:* If the applicant elects to fulfill this criterion by providing affordable units that are not otherwise required by the ADU Ordinance: a maximum density of 20% above the upper limit of the Plan range could be achieved if 12.5% of the total number of single family detached and attached units are provided pursuant to the Affordable Dwelling Unit Program; and, a maximum density of 10% or 20% above the upper limit of the Plan range could be achieved if 6.25% or 12.5%, respectively of the total number of multifamily units are provided to the Affordable Dwelling Unit Program. As an alternative, land, adequate and ready to be developed for an equal number of units may be provided to the Fairfax County Redevelopment and Housing Authority or to such other entity as may be approved by the Board.
- b) *Housing Trust Fund Contributions:* Satisfaction of this criterion may also be achieved by a contribution to the Housing Trust Fund or, as may be approved by the Board, a monetary and/or in-kind contribution to another entity whose mission is to provide affordable housing in Fairfax County, equal to 0.5% of the value of all of the units approved on the property except those that result in the provision of ADUs. This contribution shall be payable prior to the issuance of the first building permit. For for-sale projects, the percentage set forth above is based upon the aggregate sales price of all of the units subject to the contribution, as if all of those units were sold at the time of the issuance of the first building permit, and is estimated through comparable sales of similar type units. For rental projects, the amount of the contribution is based upon the total development cost of the portion of the project subject to the contribution for all elements necessary to bring the project to market, including land, financing, soft costs and construction. The sales price or development cost will be determined by the Department of Housing and Community Development, in consultation with the Applicant and the Department of Public Works and Environmental Services. If this criterion is fulfilled by a contribution as set forth in this paragraph, the density bonus permitted in a) above does not apply.

8. Heritage Resources:

Heritage resources are those sites or structures, including their landscape settings, that exemplify the cultural, architectural, economic, social, political, or historic heritage of the County or its communities. Such sites or structures have been 1) listed on, or determined eligible for listing on, the National Register of Historic Places or the

Virginia Landmarks Register; 2) determined to be a contributing structure within a district so listed or eligible for listing; 3) located within and considered as a contributing structure within a Fairfax County Historic Overlay District; or 4) listed on, or having a reasonable potential as determined by the County, for meeting the criteria for listing on, the Fairfax County Inventories of Historic or Archaeological Sites.

In reviewing rezoning applications for properties on which known or potential heritage resources are located, some or all of the following shall apply:

- a) Protect heritage resources from deterioration or destruction until they can be documented, evaluated, and/or preserved;
- b) Conduct archaeological, architectural, and/or historical research to determine the presence, extent, and significance of heritage resources;
- c) Submit proposals for archaeological work to the County for review and approval and, unless otherwise agreed, conduct such work in accordance with state standards;
- d) Preserve and rehabilitate heritage resources for continued or adaptive use where feasible;
- e) Submit proposals to change the exterior appearance of, relocate, or demolish historic structures to the Fairfax County Architectural Review Board for review and approval;
- f) Document heritage resources to be demolished or relocated;
- g) Design new structures and site improvements, including clearing and grading, to enhance rather than harm heritage resources;
- h) Establish easements that will assure continued preservation of heritage resources with an appropriate entity such as the County's Open Space and Historic Preservation Easement Program; and
- i) Provide a Fairfax County Historical Marker or Virginia Historical Highway Marker on or near the site of a heritage resource, if recommended and approved by the Fairfax County History Commission.

ROLE OF DENSITY RANGES IN AREA PLANS

Density ranges for property planned for residential development, expressed generally in terms of dwelling units per acre, are recommended in the Area Plans and are shown on the Comprehensive Plan Map. Where the Plan text and map differ, the text governs. In defining the density range:

- the "base level" of the range is defined as the lowest density recommended in the Plan range, i.e., 5 dwelling units per acre in the 5-8 dwelling unit per acre range;
- the "high end" of the range is defined as the base level plus 60% of the density range in a particular Plan category, which in the residential density range of 5-8 dwelling units per acre would be considered as 6.8 dwelling units per acre and above; and,
- the upper limit is defined as the maximum density called for in any Plan range, which, in the 5-8 dwelling unit per acre range would be 8 dwelling units per acre.
- In instances where a range is not specified in the Plan, for example where the Plan calls for residential density up to 30 dwelling units per acre, the density cited in the Plan shall be construed to equate to the upper limit of the Plan range, and the base level shall be the upper limit of the next lower Plan range, in this instance, 20 dwelling units per acre.



County of Fairfax, Virginia

MEMORANDUM

DATE: May 30, 2012

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

FROM: Pamela G. Nee, Chief *PGN*
Environment and Development Review Branch, DPZ

SUBJECT: Environmental Assessment: RZ 2010-PR-019
Elm Street Communities, Inc.

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. Plan citations are followed by a discussion of concerns including a description of potential impacts that may result from the proposed development as depicted on the revised Conceptual Development Plan/ Final Development Plan (CDP/FDP) Plan dated May 11, 2012. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are in harmony with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on pages 7 and 8 states:

“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.

Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment

complies with the County's best management practice (BMP) requirements. . . .

Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County's streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created.
- Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation. . . .
- Encourage cluster development when designed to maximize protection of ecologically valuable land. . . .
- Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements.
- Where appropriate, use protective easements in areas outside of private residential lots as a mechanism to protect wooded areas and steep slopes. . . .
- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements. ”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on page 10 states:

“Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance. . . .”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on page 11 states:

“Objective 4: Minimize human exposure to unhealthful levels of transportation generated noise. . . .

New development should not expose people in their homes, or other noise sensitive environments, to noise in excess of DNL 45 dBA, or to noise in excess of DNL 65 dBA in the outdoor recreation areas of homes. To achieve these standards new residential development in areas impacted by highway noise between DNL 65 and 75 dBA will require mitigation. New residential development should not occur in areas with projected highway noise exposures exceeding DNL 75 dBA. . . .”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on page 18 states:

“Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices. . . .

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on pages 19-21 states:

“Objective 13: Design and construct buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants.

Policy a. Consistent with other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices can include, but are not limited to:

- Environmentally-sensitive siting and construction of development

- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*)
- Optimization of energy performance of structures/energy-efficient design.
- Use of renewable energy resources
- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products
- Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies
- Reuse of existing building materials for redevelopment projects
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris
- Use of recycled and rapidly renewable building materials
- Use of building materials and products that originate from nearby sources
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

Encourage commitments to implementation of green building practices through certification under established green building rating systems (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program or other comparable programs with third party certification). Encourage commitments to the attainment of the ENERGY STAR® rating where applicable and to ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs.

...

Policy c. Ensure that zoning proposals for residential development will qualify for the ENERGY STAR Qualified Homes designation, where such zoning proposals seek development at the high end of the Plan density range and where broader commitments to green building practices are not being applied."

ENVIRONMENTAL ANALYSIS

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed development. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the county's remaining natural amenities.

This application seeks approval for 6 single-family homes on a 2.28 acre parcel of land at a density of 2.63 dwelling units per acre under the PDH-3 Zoning District. One home and a detached garage (circa 1900) currently exist on the property, but the existing structures are proposed to be demolished.

Water Quality/Stormwater Management and Adequate Outfall: The subject property falls within the Cameron Run Watershed. The property is a long narrow swath of land which is bounded by Elm Place on the north, Idylwood Road on the south with access provided on the east side of the property from Sandburg Street. An infiltration system described as a stormchamber or an equivalent type vault is shown north of the southern boundary of the subject site adjacent to Idylwood Road. In addition, two proposed easement areas are shown on the site to accommodate the water quality control requirement. The stormwater narrative indicates that water quality control measures for the proposed development will attain 40% removal through infiltration and tree preservation.

Regarding adequate outfall, the narrative states that runoff from the subject property will drain to an existing underground stormwater system. Stormwater management/best management practice measures and outfall adequacy are subject to review and approval by the Department of Public Works and Environmental Services (DPWES).

Transportation Generated Noise: Lot 1 within this proposed development will be affected by traffic noise from Idylwood Road. Any noise mitigation measures should account for increased traffic volume and associated increased noise levels with future improvements of Idylwood Road. In accordance with Comprehensive Plan guidance regarding mitigation of transportation generated noise on new residential use, the applicant should commit to building materials which ensure that noise in interior areas of the new home on Lot 1 does not exceed 45 dBA L_{dn} . The applicant should also commit to providing a noise barrier on Lot 1 so that noise levels in the rear yard does not exceed 65 dBA L_{dn} . The barrier should be at least six feet in height and architecturally solid from ground up with no gaps or openings. The applicant may pursue other methods of mitigating transportation generated noise if it can be demonstrated through an independent noise study for review and approval by DPWES in consultation with the Department of Planning and Zoning, that these methods will be effective in reducing exterior noise levels to 65 dBA L_{dn} or less and interior noise levels to 45 dBA L_{dn} or less.

Green Building Practices: This 2.28-acre site is planned for residential development at 3-4 dwelling units per acre provided that site specific Plan conditions are met, and the current proposal seeks approval for 6 dwelling units, at an overall density of 2.63 dwelling units per acre. In accordance with the County's green building policy, the applicant is strongly encouraged

to commit to the attainment of Energy Star Qualified Homes or Earthcraft House prior to the issuance of a residential use permit (RUP) for each dwelling.

Tree Preservation/Restoration: The subject property is characterized by a dense canopy of evergreen and deciduous trees. The current plan depicts an 11,325 square foot area tree conservation area which extends around the southwestern corner of the subject property and it extends between Lot 1 and Lot 2 and a second 3,377 square foot tree conservation area is shown on the northwestern edge of the property. The applicant is encouraged to work with the Urban Forestry Management Division of DPWES in order to better protect the existing canopy and root systems.

COUNTYWIDE TRAILS MAP:

The Countywide Trails Plan map depicts a major paved trail defined as asphalt or concrete, 8 feet or more in width on the southern property boundary adjacent to Idylwood Road. The development plan depicts an existing 5 foot wide asphalt trail along this section of Idylwood Road which will be expanded to eight feet wide. The current plan also shows a proposed five foot wide trail along Sandburg Street adjacent to the subject property.

PGN/MAW



County of Fairfax, Virginia

MEMORANDUM

June 8, 2012

TO: William Mayland, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Hugh Whitehead, Urban Forester II *HW*
Forest Conservation Branch, DPWES

SUBJECT: Porter at Sandburg Street (Kettler Sandburg LLC), RZ 2010-PR-019

I have reviewed the above referenced CDP/FDP, stamped as received by the Zoning Evaluation Division (ZED) on June 6, 2012. The following comments and recommendations are based on this review and site visits conducted during review of previous plan submissions for this site.

Comments regarding the accuracy of existing tree canopy area calculations for which credit is taken and proposed 10-year Tree Canopy were included in the memo dated May 25, 2012, resulting from review of the previously proposed CDP/FDP for this case. These comments below have not been addressed with the 6/6/12 submission.

1. **Comment:** Tree save area in the southwest corner of the site includes area in which a dead tree (#1384) and additional trees to be removed (#1377, 1379, #1380, #1381 & #1382), as well as off-site trees (#19, #20, #21, #22 & #23), have canopy overhanging the area for which tree canopy credit is taken. Tree canopy credit cannot be taken for trees to be removed or trees with trunks located off-site.

Tree save area in the northwest corner of the site includes a 30-inch diameter white ash tree. Tree canopy credit cannot be taken for ash species as they are targeted by emerald ash borer, present in the County, resulting in mortality.

Recommendation: If comments regarding the accuracy of calculations for tree canopy credit are not addressed by the Applicant during review of the rezoning case, revised calculations and additional planting to meet tree canopy requirements for the site may result from review of the subdivision plan.

2. **Comment:** It is not clear how the total proposed tree canopy area has been calculated. Quantities for proposed trees in Categories I-IV are not included in the calculations provided. The Applicant should ensure that the total tree canopy provided (preserved + planted)



Porter at Sandburg Street (Kettler Sandburg LLC)
RZ 2010-PR-019
June 8, 2012
Page 2 of 2

satisfies the 25 percent requirement, especially considering the questionable figures for tree preservation discussed in the above comments.

Recommendation: If a completed Table 12.10: 10-year Tree Canopy Calculation Worksheet is not provide to clarify figures for proposed tree canopy credit, this will be required during review of the subdivision plan for the site and trees planting may be required in addition to those shown on the landscape plan submitted with the proposed CDP/FDP.

If there are any questions, please contact me at (703)324-1770.

HCW/
UFMID #: 157522

cc: RA File
DPZ File





County of Fairfax, Virginia

MEMORANDUM

DATE: June 12, 2012

TO: Barbara Berlin, Director
Zoning Evaluation Division
Department of Comprehensive Planning

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section
Department of Transportation

FILE: 3-4 (RZ 2010-PR-019)

SUBJECT: Transportation Impact Addendum # 2

REFERENCE: RZ 2010-PR-019; Kettler Sandburg, LLC
Traffic Zone: 1575
Land Identification Map: 39-4 ((01)) 46, 47

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the revised plan dated May 11, 2012 and proffers dated May 14, 2012.

The applicant proposes to rezone 2.28 acres from the R-1 District to the PDH-3 District to provide six single-family detached homes.

This department has reviewed the subject application and offers the following:

- The stub street should extend to the property line or terminate close to the property line allowing proper slope (PFM 7.0105).
- The frontage improvements shall be provided prior to the first RUP, not bond release.
- Omit language in proffer 13 that precludes the applicant from the possible relocation of utility poles.
- With reference to proffer # 17, where the language states ...the Applicant (or successor HOA) shall grant all easements, specify and add, "(including construction easements)"...necessary for interparcel access...

AKR/ak cc: Michele Brickner, Director, Design Review, DPW & ES

Fairfax County Department of Transportation
4050 Legato Road, Suite 400
Fairfax, Virginia 22033-2898
Phone: (703) 877-5600 TTY: 771
Fax: (703) 877 5723
www.fairfaxcounty.gov/fcdot






FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

TO: Barbara Berlin, AICP, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sandy Stallman, AICP, Manager
Park Planning Branch, PDD 

DATE: May 23, 2012

SUBJECT: RZ/FDP 2010-PR-019, Porter at Sandburg Street, Revised
Tax Map Number(s): 39-4 ((1)) 46, 47

BACKGROUND

The Park Authority staff has reviewed the revised Development Plan dated May 11, 2012, for the above referenced application. The Development Plan shows six new single-family detached dwelling units on two parcels to be rezoned from R-1 to PDH-3. Based on an average single-family detached household size of 2.96 in the Vienna Planning District, the development could add 15 new residents (18 new residents less 3 attributable to existing structure) to the Providence Supervisory District.

COMPREHENSIVE PLAN GUIDANCE

The County Comprehensive Plan includes both general and specific guidance regarding parks and resources. The Policy Plan describes the need to mitigate adverse impacts to park and recreation facilities caused by growth and development; it also offers a variety of ways to offset those impacts, including contributions, land dedication, development of facilities, and others (Parks and Recreation, Objective 6, p.8). Resource protection is addressed in multiple objectives, focusing on protection, preservation, and sustainability of resources (Parks and Recreation Objectives 2 and 5, p.5-7).

The proposed development is located within the Cedar Community Planning Sector (V2) of the Vienna Planning District, in the Area II Plan. The sector is primarily developed as stable residential neighborhoods and the concept for Future Development describes residential infill that is compatible in use, type, and intensity. Plan text also describes the area east of Gallows Road, which includes the subject parcels, as having produced potentially significant archaeological sites and as containing some older and potentially significant buildings. The Plan recommends that within this planning sector, "Any development or ground disturbance in this sector, both on private and public land, should be preceded by heritage resource studies, and alternatives should be explored for the avoidance, preservation or recovery of significant heritage resources that are found." (V2-Cedar Community Planning Sector, Vienna Planning District,

Area II Plan, p.60) The Plan further recommends that local-serving, neighborhood parks be provided in conjunction with new development. (Figure 24, p.63)

Finally, text from the Vienna District chapter of the Great Parks, Great Communities Park Comprehensive Plan echoes recommendations in the Countywide Comprehensive Plan. Specific District chapter recommendations include adding playgrounds and athletic field capacity, as well as protecting natural and cultural resources.

ANALYSIS AND RECOMMENDATIONS

Park Needs:

Using adopted service level standards, staff has identified a need for all types of parkland and recreational facilities in this area. Existing nearby parks (Tysons Woods, Briarcliff, South Railroad Street, and Dunn Loring Community—Idylwood Park is nearby but separated from the subject parcels by I-495) meet only a portion of the demand for parkland generated by residential development in the Cedar Community Sector and Vienna Planning District. In addition to parkland, the recreational facilities in greatest need in this area include trails, rectangle fields, playgrounds, and basketball courts.

Recreational Impact of Residential Development:

The Fairfax County Zoning Ordinance requires provision of open space and recreational features within Planned Development Districts (see Zoning Ordinance Sections 6-110 and 16-404). The minimum expenditure for park and recreational facilities within these districts is set at \$1,600 per non-ADU residential unit for outdoor recreational facilities to serve the development population (please note: if approval of this application by the Board of Supervisors occurs after July 1, 2012, the per unit contribution increases to \$1,700). Whenever possible, the facilities should be located within the residential development site. With eight non-ADUs proposed, the Ordinance-required amount to be spent onsite is \$9,600. Any portion of this amount not spent onsite should be conveyed to the Park Authority for recreational facility construction at one or more park sites in the service area of the development.

The \$1,600 per unit funds required by Ordinance offset only a portion of the impact to provide recreational facilities for the new residents generated by this development. Typically, a large portion if not all of the Ordinance-required funds are used for outdoor recreational amenities onsite. As a result, the Park Authority is not compensated for the increased demands caused by residential development for other recreational facilities that the Park Authority must provide.

With the Countywide Comprehensive Policy Plan as a guide (Appendix 9, #6 of the Land Use section, as well as Objective 6, Policy a, b and c of the Parks and Recreation section), the Park Authority requests a fair share contribution of \$893 per new resident with any residential rezoning application to offset impacts to park and recreation service levels. This allows the Park Authority to build additional facilities needed as the population increases. To offset the additional impact caused by the proposed development, the applicant should contribute \$13,395 to the Park Authority for recreational facility development at one or more park sites located within the service area of the subject property.

Onsite Facilities:

County Comprehensive Plan guidance for this area supports the provision of onsite facilities in conjunction with new development. As this revision shows no on-site recreational facilities or

amenities, staff recommends that P-district onsite expenditure funds as well as fair-share park proffer funds be dedicated to the Park Authority for use at a park within the service area of the proposed development.

Natural Resources Impact:

The Park Authority owns and operates the South Railroad Street Park near the applicant's parcel. To protect the environmental health of Park Authority land (less than 1,000 feet from the subject parcel) and reduce the spread of invasive species, all plant materials installed on the applicant's parcel should be non-invasive, as noted on Sheet #10 of the revised plan set.

Cultural Resources Impact:

The Comprehensive Plan recommends that within this planning sector, "Any development or ground disturbance in this sector, both on private and public land, should be preceded by heritage resource studies..." (V2-Cedar Community Planning Sector, Vienna Planning District, Area II Plan, p.60)

This application's parcels were subjected to archival review. Parcel 0046 contains a structure dating prior to 1937 and archival review yielded evidence of a large structure on parcel 0047. The second structure, likely a large barn, has since been destroyed. The existing, pre-1937 structure on parcel 0046 should be documented by a qualified historic architect prior to demolition.

In addition, the area contains a moderate potential for Native American and historic sites. Given the specific Comprehensive Plan guidance cited above, the Park Authority recommends a Phase I archaeological survey to determine the presence or absence of archaeological sites. If sites are found, Phase II archaeological testing is recommended to determine if sites are eligible for inclusion into the National Register of Historic Places. Finally, if found sites are eligible, the Park Authority recommends avoidance or a Phase III archaeological data recovery, if the sites cannot be avoided. The applicant is encouraged to contact the Cultural Resources Management staff with questions.

At the completion of any cultural resource studies, the Park Authority requests that the applicant provide one copy of the archaeology report as well as field notes, photographs and artifacts to the Park Authority's Resource Management Division (Attention: Liz Crowell) within 30 days of completion of the study.

SUMMARY OF RECOMMENDATIONS

This section summarizes the recommendations included in the preceding analysis section. Following is a table summarizing required and recommended recreation contribution amounts:

Proposed Uses	P-District Onsite Expenditure	Requested Park Proffer Amount	Total
Single-family detached units	\$9,600	\$13,395	\$22,995
Total	\$9,600	\$13,395	\$22,995

In addition, the analysis identified the following major issues:

- Complete architectural documentation of existing structures prior to demolition; documentation to be completed by a qualified historic architect.
- Conduct a Phase I archaeological survey; if sites are found Phase II archaeological testing is recommended to determine if sites are eligible for inclusion into the National Register of Historic Places. Finally, if found sites are eligible, the Park Authority recommends avoidance or a Phase III archaeological data recovery, if the sites cannot be avoided.

Please note the Park Authority would like to review and comment on proffers related to park and recreation issues. We request that draft and final proffers be submitted to the assigned reviewer noted below for review and comment prior to completion of the staff report and prior to final Board of Supervisors approval.

FCPA Reviewer: Anna Bentley
DPZ Coordinator: William Mayland

Copy: Cindy Walsh, Director, Resource Management Division
Liz Crowell, Manager, Cultural Resource Management & Protection Section
Chron Binder
File Copy

P:\Park Planning\Development Plan Review\DPZ Applications\RZ\2010\RZ-FDP 2010-PR-019\RZ-FDP-2010-PR-019 Rpt Revision 2.docx




**FAIRFAX COUNTY
PUBLIC SCHOOLS**

Department of Facilities and Transportation Services
Office of Facilities Planning Services
8115 Gatehouse Road, Suite 3300
Falls Church, Virginia 22042

May 25, 2012

TO: Barbara Berlin, Director
Fairfax County Department of Planning & Zoning
Zoning Evaluation Division

FROM: Denise M. James, Director 
Office of Facilities Planning Services

SUBJECT: RZ/FDP 2010-PR-019, Kettler Sandburg LLC

ACREAGE: 2.28 acres

TAX MAP: 39-4 ((1)) 46 & 47

PROPOSAL: Rezone property from the R-1 District to the PDH-4 District to permit 6 single family detached dwelling units.

COMMENTS: This revises previous memoranda dated August 26 and November 21, 2011, to reflect a change in the number of residential units proposed and changes in student enrollment and school capacity.

The proposed rezoning area is within Stenwood Elementary, Kilmer Middle, and Marshall High school attendance area boundaries. The chart below shows the existing/projected school capacity, student enrollment, and projected enrollment.

School	Capacity	Enrollment (9/30/11)	2012-2013 Projected Enrollment	Capacity Balance 2012-2013	2017-18 Projected Enrollment	Capacity Balance 2017-18
Stenwood ES	450/522	509	523	-73	537	-15
Kilmer MS	1,116	1,134	1,120	-4	1,369	-253
Marshall HS	1,511/2,000*	1,623	1,698	-187	1,974	26

Capacity and enrollment are based on the spring FCPS projections for FY 2014-18 CIP.

* Renovations at Marshall High are anticipated to be completed for the 2014-15 school year, which will increase the school capacity.

The school capacity chart above shows a snapshot in time for student enrollment and school capacity balances. Student enrollment projections are done on a six year timeframe, currently through school year 2017-18, and are updated annually. Stenwood is projected to have a slight capacity deficit after renovations to the school are completed in 2012. At this time, if development occurs within the next six years, Kilmer Middle School is projected to have a significant capacity deficit and the rezoning application is anticipated to contribute to this projected capacity deficit. A boundary study to relieve overcrowding at Kilmer is anticipated in the future. Beyond the six year projection horizon, enrollment projections are not available.

The rezoning application proposes to rezone property from the R-1 District to the PDH-4 District to permit 6 single family detached dwelling units. The property contains 2.28 acres and is undeveloped. It appears that the current maximum development potential is 2 single family dwelling units, if developed by-right.

According to the number of residential units proposed, the chart below shows the number of anticipated students by school level based on the current countywide student yield ratio.

School level	Single family detached ratio	Proposed # of units	Student yield	Single family detached ratio	Current # of units permitted by-right	Student yield
Elementary	.266	6	2	.266	2	1
Middle	.084	6	1	.084	2	0
High	.181	6	1	.181	2	0
			4 Total			
						1 Total

SUMMARY:

Suggested Proffer Contribution

The rezoning application is anticipated to yield a total of 3 new students over the one student that would be anticipated if developed by-right. Based on the approved proffer formula guidelines, the students generated would justify a proffer contribution of \$28,134 (3 students x \$9,378) in order to address capital improvements for the receiving schools.

It is also recommended that the school proffer amount be based on either the current suggested per student proffer contribution at the time of zoning approval or the per student proffer contribution in effect at the time of development, whichever is greater. This would better offset the impact that new student yields will have on surrounding schools at the time of development since the school proffer amount is based, in part, on construction costs and market conditions. For your reference, below is an example of such a proffer that was included as part of an approved proffer contribution to FCPS.

- A. Adjustment to Contribution Amounts. Following approval of this Application and prior to the Applicant's payment of the amount(s) set forth in this Proffer, if Fairfax County should increase the ratio of students per high-rise multifamily unit or the amount of the contribution per student, the Applicant shall increase the amount of the contribution for that phase of development to reflect the then-current ratio and/or contribution. If the County should decrease the ratio or contribution amount, the Applicant shall provide the greater of the two amounts.

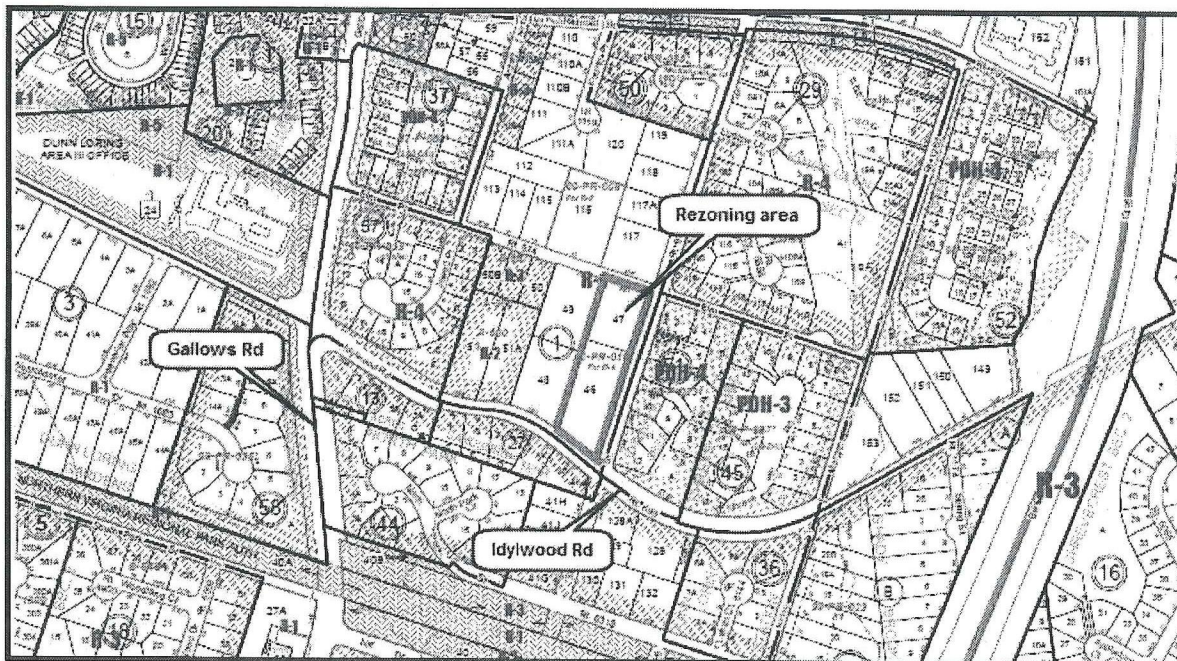
In addition, it is recommended that all proffer contributions be directed to the Marshall HS pyramid and/or to Cluster II schools that encompass this area at the time of site plan approval or building permit approval, especially if a boundary study to balance enrollments may occur in the future. It is also recommended that notification be given to FCPS when construction is anticipated to commence. This will assist FCPS by allowing for the timely projection of future students as a part of the Capital Improvement Program.

DMJ/

Attachment: Locator Map

cc: Patricia S. Reed, School Board, Providence District
 Ilyong Moon, School Board, At-Large
 Ryan McElveen, School Board, At-Large
 Ted Velkoff, School Board, At-Large
 Dean Tistadt, Chief Operating Officer
 Jim Kacur, Cluster II, Assistant Superintendent
 Peggy Dammeyer, Principal, Stenwood Elementary School
 Douglas Tyson, Principal, Kilmer Middle School
 Jay W. Pearson, Principal, Marshall High School

Fairfax County Public Schools
Office of Facilities Planning Services





County of Fairfax, Virginia

MEMORANDUM

DATE: June 8, 2012

TO: William Mayland, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Durga Kharel, P.E., Senior Engineer III
Central Branch
Site Development and Inspections Division (SDID)
Department of Public Works and Environmental Services

SUBJECT: Rezoning Application #RZ 2010-PR-019; Porter at Sandburg Street;
Generalized Development revised June 6, 2012; Cameron Run Watershed;
LDS Project #020658-ZONA-001-1; Tax Map #039-4-01-00-0046 and 039-4-01-00-0047; Providence District

We have reviewed the subject application and offer the following stormwater management comments.

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on the site.

Floodplain

There are no regulated floodplains on the site.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Quantity and Quality Control

Applicant proposed satisfying stormwater detention and water quality control requirements for this project by an infiltration trench and a conservation easement. The proposed stormchamber are permitted with separate PFM modification request subject to approval by SDID. Please also be advised that some stackable modular plastic units such as RainTank, RainStore, StormTank etc. are prohibited by the County until further notice (Moratorium dated February 09, 2012).

Soil infiltration testing following Fairfax County Testing Guidelines for Infiltration facilities are required {Letter to Industry No 10-04}. The purpose of the infiltration testing is to determine the soil hydraulic conductivity and the seasonal high water table (SHWT). A minimum of 4 feet

Department of Public Works and Environmental Services
Land Development Services, Environmental and Site Review Division
12055 Government Center Parkway, Suite 535
Fairfax, Virginia 22035-5503
Phone 703-324-1720 • TTY 711 • FAX 703-324-8359



separation between the invert of the facility and SHWT/bed rock is must. All infiltration trench siting and sizing and boring location guidelines shall be observed. A private maintenance agreement for the infiltration trench will be required prior to approval of the construction plan.

For purposes of BMP efficiencies, "open space" in residential areas is defined as perpetually undisturbed Homeowners Association (or "common") areas placed in conservation easements and without other encumbrances. Open space used for BMP credit, which is not already in a floodplain easement, shall be placed in a recorded conservation easement with metes and bounds which shall also be shown on the plat. Open space used for BMP credit should be delineated on the plan sheets with the note "*Water quality management area. BMP credit allowed for open space. No use or disturbance of this area is permitted without the express written permission of the Director of the Department of Public Works and Environmental Services*". {PFM § 6-0402.8C}

The concentrated runoff shall be treated before entering to the infiltration facility.

Downstream Drainage System

The applicant shows a stormwater outfall narrative and description to 100 x the contributing drainage area. The applicant stated that should the outfall found to be inadequate during final engineering design; the detention method will be used.

Satisfying stormwater detention requirements and mitigating an inadequate outfall if any, require investigating the soils and showing preliminary design on the CDP as sizing of the infiltration facility might require larger area, which will be hard to accommodate if out-lots have already been subdivided.

A drainage diversion is proposed that will increase runoff to the southern outfall and decrease it from the northern outfall. Conditions on PFM § 6-0202.2A(4) need to be addressed before a diversion can be approved in the plan.

Please contact me at 703-324-1720 if you require additional information.

ES/tl

cc: Don Demetrius, Chief, Watershed Projects Evaluation Branch, SPD, DPWES
Judy Cronauer, Chief, Central Branch, SDID, DPWES
Hani Fawaz, P.E., Senior Engineer III, SDID, DPWES
Zoning Application File



FAIRFAX COUNTY WATER AUTHORITY
8560 Arlington Boulevard, Fairfax, Virginia 22031
www.fairfaxwater.org

**PLANNING & ENGINEERING
DIVISION**

Jamie Bain Hedges, P.E.
Director
(703) 289-6325
Fax (703) 289-6382

January 20, 2011

Ms. Barbara Berlin, Director
Fairfax County Department of Planning & Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

Re: RZ 2010-PR-019
Porter at Sandberg Street
Tax Map: 39-4

Dear Ms. Berlin:

Fairfax Water is uniquely able to provide high-quality water service to the Porter at Sandberg Street development. In the past, water service to this site has been provided by the City of Falls Church Department of Public Utilities (City); however, the site is located in Fairfax County. We believe that future water service for the proposed redevelopment should be provided by Fairfax Water instead of the City for the following reasons:

1. Fairfax Water has an existing 42-inch transmission main in Sandberg Street that is capable of providing adequate domestic and fire protection service. See the attached water system map and review comments on the GDP.
2. Fairfax Water has a fully integrated transmission network allowing ample flow to be routed to the site from several independent sources. Fairfax Water's programmed investment in transmission and distribution system development provides the site access to service from a 42-inch diameter transmission main from a pumping facility at Tysons Corner. The site also has access to water storage facilities located at Tysons Corner, Penderwood, and Fairfax Hospital. Alternative supplies are available from a variety of additional sources including pumping facilities at Fairfax Circle or Annandale. Having a variety of

supply options increases service reliability, provides for sufficient domestic and fire protection capacity.

3. Customers served by Fairfax Water enjoy the lowest commodity rate for water in the Washington Metropolitan area. Currently Fairfax Water customers pay \$1.93 per 1,000 gallons while the City's customers pay \$3.03 per 1,000 gallons.
4. Although not currently doing so, in the past the City has charged a higher rate to its customers located in Fairfax County than to its customers located in the City.
5. Fairfax Water operates as a true enterprise fund. All water system revenues are returned to the water system to support infrastructure reinvestment and system improvements.
6. Fairfax Water is governed by a Board appointed by the Fairfax County Board of Supervisors. Citizens of Fairfax County whose water service is provided by the City have no representation in the decisions made regarding the water system that serves them.
7. Fairfax Water owns and operates two state of the art treatment facilities, sourced by two separate watersheds, the Occoquan Reservoir and the Potomac River. These plants produce superb quality water that meets and surpasses all current and anticipated regulations.

As you may know, there is no legal impediment to Fairfax Water's serving this property. All previous legal disputes between Fairfax Water and the City have now been resolved. Under a consent decree entered February 25, 2010 in the Circuit Court of Fairfax County, the City agreed that Fairfax Water may provide water service anywhere within the City's previous service area in Fairfax County, and that the City would not unreasonably interfere with the ability of any customer or developer to obtain service from Fairfax Water.

As many areas of Fairfax County undergo transformation and redevelopment, the increased land-use density and investment warrant public infrastructure commensurate with the high standards of Fairfax County. Accordingly, the proposed project should be served by the highest level of water service available. Again, Fairfax Water is uniquely able to provide that level of service.

Ms. Barbara Berlin
January 20, 2011
Page Three

If you have any questions regarding this information, please contact Dave Guerra
Chief, Plan Review at (703) 289-6343.

Sincerely,

A handwritten signature in cursive script that reads "Traci K. Goldberg". The signature is written in dark ink and is positioned above the printed name and title.

Traci K. Goldberg, P.E.
Manager, Planning Department

Enclosures (as noted)

cc: Robert Brown, Urban Ltd.
Gregory Riegler, McGuire Woods, LLP



County of Fairfax, Virginia

MEMORANDUM

DATE: August 19, 2011

TO: Barbara C. Berlin, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Eric Fisher, GIS Analyst III
Information Technology Section
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis of Rezoning/Final
Development Plan Application RZ/FDP 2010-PR-019

The following information is submitted in response to your request for a preliminary Fire and Rescue Department analysis for the subject:

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #413, **Dunn Loring**
2. After construction programmed _____ this property will be serviced by the fire station _____
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - ☒ a. currently meets fire protection guidelines.
 - ☐ b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - ☐ c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - ☐ d. does not meet current fire protection guidelines without an additional facility. The application property is _____ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.





County of Fairfax, Virginia

MEMORANDUM

DATE: August 19, 2011

TO: Kelli Goddard-Sobers
Zoning Evaluation Division
Department of Planning & Zoning

FROM: Lana Tran (Tel: 703 324-5008)
Wastewater Planning & Monitoring Division
Department of Public Works & Environmental Services

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ/FDP2010-PR-019
Tax Map No. 039-4- /01/0046, 0047

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

- The application property is located in the Cameron Run (I-1) watershed. It would be sewer into the Alexandria Sanitation Authority (ASA).
- Based upon current and committed flow, there is excess capacity in the (ASA). For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
- An existing 8" inch line located in the street is adequate for the proposed use at this time.
- The following table indicates the condition of all related sewer facilities and the total effect of this application.

<u>Sewer Network</u>	<u>Existing Use +Application</u>		<u>Existing Use + Application Previous Rezoning</u>		<u>Existing Use + Application + Comp Plan</u>	
	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>
Collector	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>
Submain	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>
Main/Trunk	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>
Interceptor	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Outfall	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

- Other pertinent information or comments:

Department of Public Works and Environmental Services
Wastewater Planning & Monitoring Division
12000 Government Center Parkway, Suite 358
Fairfax, VA 22035-0052
Phone: 703-324-5030, Fax: 703-324-3946





County of Fairfax, Virginia

MEMORANDUM

DATE: 25 May 2012

TO: William Mayland, Senior Staff Coordinator, Zoning Evaluation Division

FROM: Linda Cornish Blank, Historic Preservation Planner *ACB*

SUBJECT: RZ 2010-PR-019, Kettler, Sandburg, LLC, Proposed consolidation and rezoning of approximately 2.28 acres to allow for development of 6 single family detached homes, 2400 Sandburg Street, 8001 Elm Place, Tax map # 39-4 ((1)) 46 & 47.

Planning Location: Fairfax County Comprehensive Plan, 2011 Edition, Area II, Vienna Planning District, Amended through 3-6-2012, Overview, p. 8:

"Heritage Resources

The Vienna Planning District contains both known and potential heritage resources. A list of those heritage resources included in Fairfax County's Inventory of Historic Sites is shown on Figure 4, and a map of those resources is shown on Figure 5. . . .

" . . . Historic resources have been identified in the Town of Vienna as well as throughout the district. Additional unidentified resources may yet exist in undeveloped areas and within developed sections of the district. Of particular importance are resources associated with the history of the Town of Vienna and the community of Dunn Loring. . . ."

V-2-Cedar Community Planning Sector p.60:

"Heritage Resources

Significant heritage resources may be located in open spaces, in low density residential areas and in mid 20th century neighborhoods of this planning sector. Any development or ground disturbance in this sector, both on private and public land, should be preceded by heritage resource studies, and alternatives should be explored for the avoidance, preservation or recovery of significant heritage resources that are found. In those areas where significant heritage resources have been recorded, an effort should be made to preserve them. If preservation is not feasible, then, in accordance with countywide objectives and policies as cited in the Heritage Resources section of the Policy Plan, the threatened resource should be thoroughly recorded and in the case of archaeological resources, the artifacts recovered."

Heritage Resource Comment:

Background: The Application Property was recorded in a historic resources survey of the Dunn Loring area conducted in 1993. During that time, there was interest in creating a Dunn Loring historic overlay district. The effort was abandoned in December 1996 when there did not appear to be community consensus on whether to proceed with creating a district.

In 2003, then property owner of the Application Property, Mrs. Jane Martin Porter, explored the possibility of placing an easement on the property and of listing the property in the

Department of Planning and Zoning
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National Register of Historic Places and Places. The following is taken from Mrs. Martin's *Dedication to My Dad, Thomas P. Martin*: "In 1982 Fairfax County revised its Master Plan. A density of three to four house (sic) per acre became the desire (sic) objective in considering applications for rezoning. Tax rates were based on the highest and best use of the land. Few homeowners could resist the rewards of high land prices and the penalties of increasing taxes."

Findings:

1. The two and one-half story frame four-square single-family residential dwelling built c. 1890, located at 2400 Sandburg Street, tax map # 39-4 ((1)) 46, is an example of a resource type recognized in Study Unit H10 *Suburbanization and Urban Dominance* of the county's Heritage Resource Management Plan. The plan provides for its registration and protection in-keeping with Comprehensive Plan policies.
2. In the early 1990s, the Dunn Loring community explored creating a historic overlay district (HOD). A historic resources survey was conducted in 1993 as part of that effort. Creating a Dunn Loring HOD was abandoned in December 1996. The opportunity to protect the historic and architectural resources and character of late 19th and early 20th century Dunn Loring was lost when the community abandoned the idea of creating a HOD.
3. The historic character of Dunn Loring has been substantially diminished by extensive development. The area's architectural and historic importance was based upon the community's significance as a whole, not on individual landmark building(s). Individual properties are significant for their contribution to the community fabric rather than as individual landmark buildings. With the loss of community context and fabric, the significance of individual buildings is greatly compromised. Once important components to the historic character of the Dunn Loring community, individual buildings that remain become isolated and loose context since the historic community of which they were once a part has disappeared.
4. Single-family Victorian and Colonial Revival style residential dwellings built during the late 19th and first decade of the 20th century continue to disappear with development and redevelopment. Unless residential building types from this period are documented, an important part of county history is lost without record.
5. Documentation of buildings and sites plays an important part in telling the history, development and evolution of our community. The dwelling and accessory buildings merit documentation. Of equal importance to the documentation is the site context or cultural landscape, objects and structures and its setting along Sandburg, Elm and Idylwood.

Heritage Resource Recommendation:

1. The existing conditions for the Application Property at 2400 Sandburg Street, 8001 Elm Place, Tax map # 39-4 ((1)) 46 & 47 be documented through photographic recordation for the purpose of recording and documenting the existing standing structures, the cultural landscape and streetscape setting prior to development and/or demolition. The documentation include at a minimum the exteriors of the standing structures, landscape features and character defining features of the residential interior as stipulated below, to be photographed prior to any land disturbing activity on site. The documentation include a clear sketch plan map for exterior and landscape, based upon the existing conditions map for this application, and a floor plan for interior, showing the location of the photographic angle of views with each photograph identified. The number and angle of photographic views, sketch plan map and floor plan layout be

coordinated with the Department of Planning and Zoning (DPZ) Historic Preservation planner, either prior to taking of the photographs or prior to final submission of the documentation but prior to any land disturbing activity on site. All final photographs and sketch plan map be submitted to the Virginia Room of the Fairfax County Public Library and to the Fairfax County Department of Planning and Zoning (DPZ) Historic Preservation planner. The applicant is to provide written documentation to DPZ that required documentation has been submitted to the Virginia Room.

Photographic documentation; dwelling, garage and site context:

1. View of each façade
 2. Perspective view, front façade and one side
 3. Perspective view, rear and one side
 4. Details of the buildings such as views of the main entrance, stairs, porch(es), prominent window(s), chimney(s) and any unique architectural and/or character defining features
 5. Details of the residential interior such as stairways, newel posts, molding(s), windows, doors and any unique architectural and/or character defining features
 6. General views from a distance sufficient to show environmental setting, landscaping, and cultural landscape features, structures, objects and elements
 7. General streetscape views to and from the property along Sandburg, Elm and Idylwood.
2. Concur with the Cultural Resource Management and Protection Section of the Fairfax County Park Authority recommendation for archaeological survey and testing. As stipulated in The Comprehensive Plan Area II, Vienna Planning District, V-2-Cedar Community Planning Sector the recommended survey and testing should precede any development or ground disturbance activity.

PART 1 6-100 PDH PLANNED DEVELOPMENT HOUSING DISTRICT

6-101 Purpose and Intent

The PDH District is established to encourage innovative and creative design and to facilitate use of the most advantageous construction techniques in the development of land for residential and other selected secondary uses. The district regulations are designed to insure ample provision and efficient use of open space; to promote high standards in the layout, design and construction of residential development; to promote balanced developments of mixed housing types; to encourage the provision of dwellings within the means of families of low and moderate income; and otherwise to implement the stated purpose and intent of this Ordinance.

To these ends, rezoning to and development under this district will be permitted only in accordance with a development plan prepared and approved in accordance with the provisions of Article 16.

PART 1 16-100 STANDARDS FOR ALL PLANNED DEVELOPMENTS

16-101 General Standards

A rezoning application or development plan amendment application may only be approved for a planned development under the provisions of Article 6 if the planned development satisfies the following general standards:

1. The planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions.
2. The planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district.
3. The planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.
4. The planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted comprehensive plan.

5. The planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently available.
6. The planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

16-102 Design Standards

Whereas it is the intent to allow flexibility in the design of all planned developments, it is deemed necessary to establish design standards by which to review rezoning applications, development plans, conceptual development plans, final development plans, PRC plans, site plans and subdivision plats. Therefore, the following design standards shall apply:

1. In order to complement development on adjacent properties, at all peripheral boundaries of the PDH, PRM, PDC, PRC Districts the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration. In the PTC District, such provisions shall only have general applicability and only at the periphery of the Tysons Corner Urban Center, as designated in the adopted comprehensive plan.
2. Other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.
3. Streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area; information such as topography, location and size of proposed structures, location of streets, trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		